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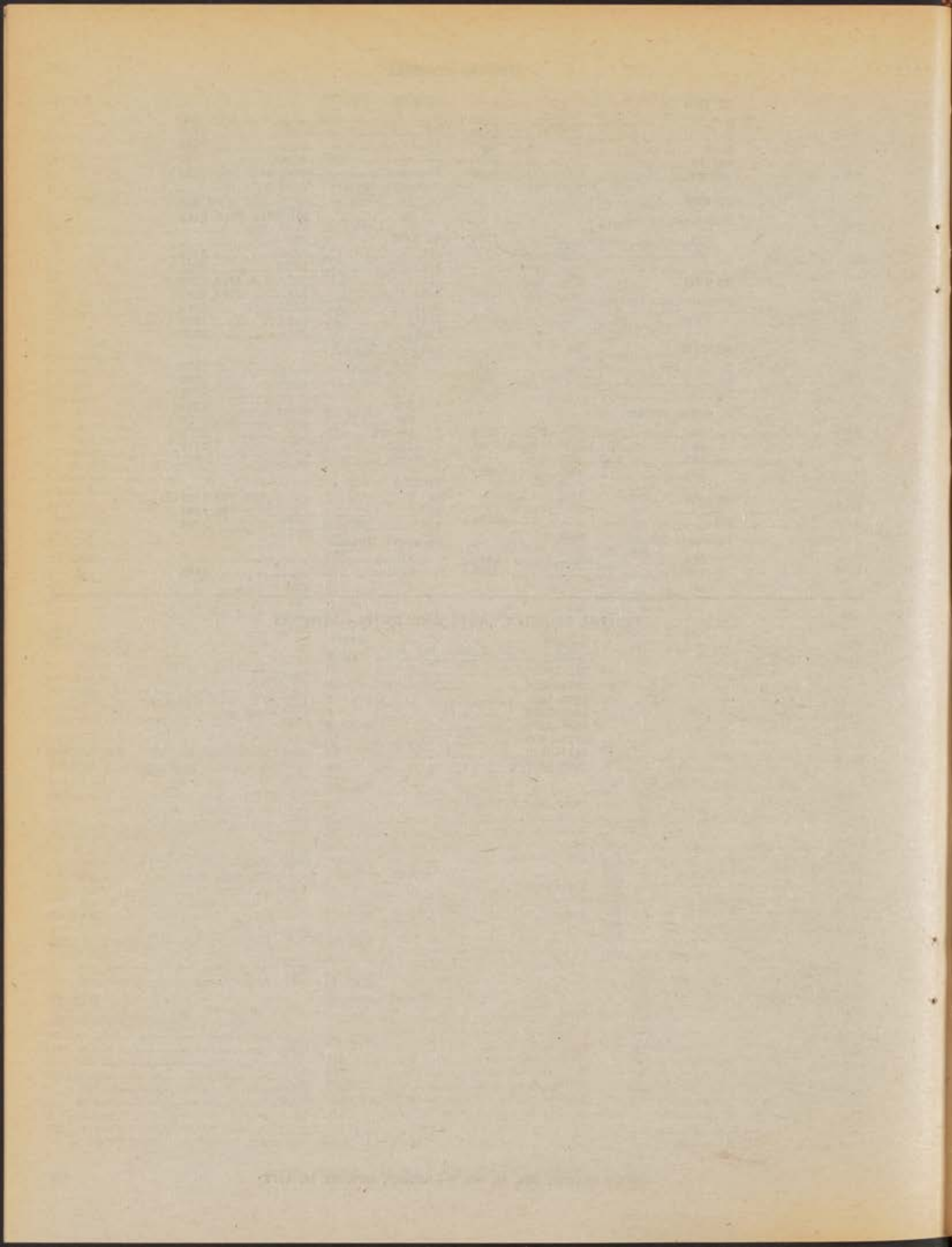
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rules and regulations

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The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

Title 5—Administrative Personnel CHAPTER I—CIVIL SERVICE COMMISSION PART 213—EXCEPTED SERVICE Department of Agriculture

Section 213.3313 is amended to show that one position of Confidential Assistant to the Administrator (ASCS) is re-established under Schedule C.

Effective on January 14, 1975, § 213.3313 (h) (4) is amended as set out below.

§ 213.3313 Department of Agriculture.

(h) *Agricultural Stabilization and Conservation Service.*

(4) Four Confidential Assistants to the Administrator.

(5 U.S.C. secs. 3301, 3302; E.O. 10577, 3 CFR 1954-58 Comp. p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant
to the Commissioners.

[FR Doc. 75-1283 Filed 1-13-75; 8:45 am]

Title 9—Animals and Animal Products CHAPTER III—ANIMAL AND PLANT HEALTH INSPECTION SERVICE (MEAT AND POULTRY PRODUCTS INSPEC- TION), DEPARTMENT OF AGRICULTURE SUBCHAPTER A—MANDATORY MEAT INSPECTION TENANTS AND SUBSIDIARIES IN OFFICIAL ESTABLISHMENTS

Application for Grant of Inspection

On August 15, 1973, there was published in the FEDERAL REGISTER (38 FR 22041) in accordance with the administrative procedure provisions in 5 U.S.C. 553, a notice of proposed rulemaking under the Federal Meat Inspection Act (21 U.S.C. 601 *et seq.*) to amend the Federal meat inspection regulations (9 CFR Parts 305 and 317) concerning tenants and subsidiaries in official establishments to identify and clarify responsibility for compliance with the Act and regulations by each entity conducting operations subject to the Act. Interested persons were given 60 days in which to submit views or arguments concerning the proposed amendments.

Statement of considerations. This regulation change requires tenants and subsidiaries operating in official establishments to apply separately for their own grant of inspection. In so doing, they must supply basic information regarding the makeup of management and meet all other requirements for a grant of inspection. This will better enable the

Department to identify management and place responsibility for compliance with the regulations and the Act upon each entity conducting regulated operations.

When published as a proposal, seven letters of comment were submitted. Of these, one national association and one industry member supported the proposal. Three industry members opposed the amendment. One expressed opposition primarily because of the cost of new labeling material. The effective date of this change has accordingly been delayed for one year from publication of this notice. That should allow ample time to exhaust the current supply of presently approved labels. The second industry member objected because he was unsure as to whether the proposal would affect product prepared under various labels. Under § 317.2, as amended, an establishment would be permitted to prepare product under various trade names, but each tenant and subsidiary would be required to operate his own establishment and prepare product only under his own name or trade names. The third industry member raised several points—the amendments were not needed; they would increase costs to tenants and to the Department; and they would constitute unwarranted interference with private contracts. The Department finds that the amendments are needed for the purpose of regulatory control, and that the public need is sufficient to justify the slight inconvenience to the regulated industry.

Two State Departments of Agriculture submitted comments. The first stated that the proposal would require States to amend their regulations and would impose additional hardships on small plant owners. Although some States may have to amend their regulations in order to have requirements at least equal to those under the Federal Meat Inspection Act pursuant to section 301(c) of the Act, the Department has determined that such changes are needed as pointed out above. Small plant owners will experience additional hardships only to the extent that their tenants and subsidiaries must now apply separately for inspection. However, under the regulations, as amended, persons operating as separate entities in the same building or structure may operate separate establishments therein under their own grant of inspection.

The second State Department of Agriculture raised a few points concerning § 305.1. It stated that by requiring each tenant to have its own inspection number, the proposal would increase the number of entities with which the States

would have to deal. That is true. However, it will allow accountability to be placed upon the responsible party. The State also contended that this section would be in conflict with the poultry regulations. However, the amendment will decrease, not increase, the difference in the respective regulations since the poultry regulations do not permit tenants to operate in an establishment without a separate grant of inspection. Further only subsidiaries which are separate legal entities must apply for their own grant of inspection. The State also expressed concern with respect to responsibility for common areas. However, the regulations have been clarified to require all tenants, subsidiaries, or landlords operating separate establishments in the same building or structure to be responsible for compliance with the Act and regulations in their own establishments which include common areas, e.g. hallways, stairways and elevators. Finally, the State expressed concern for increased cost and inconvenience for the industry and the program. As has been explained above, the Department finds that neither the cost nor the inconvenience is unreasonable and that both are warranted by the public need for accountability.

Accordingly, after due consideration of all the comments and other matters relevant to this matter, Parts 304, 305, and 317 of the meat inspection regulations (9 CFR 304, 305, 317) are amended as follows:

PART 304—APPLICATIONS FOR INSPECTION; GRANT OR REFUSAL OF INSPECTION

1. Section 304.1 is revised to read as follows:

§ 304.1 Application for inspection.

(a) Before the inspection is granted, each person conducting operations at an establishment subject to the Act, whether tenant, subsidiary, or landlord, shall make application therefor to the Administrator as provided for in this part.

(b) Every application under this section shall be made on an official form furnished by the Program, available from any Regional Director identified in § 301.2(iii) of this subchapter, and shall be completed to include all information requested. Trade names of the applicant for labeling purposes, shall be inserted in the appropriate blank in the application. Each applicant for inspection will be held responsible for compliance with the Act and the regulations in this subchapter if inspection is granted. Preparation of product and other operations at the establishment for which inspection is granted may be conducted only by the applicant named in the application.

(c) In cases of change of ownership or location, a new application shall be made.

PART 305—OFFICIAL NUMBERS; INAUGURATION OF INSPECTION; WITHDRAWAL OF INSPECTION; REPORTING OF VIOLATION

2. Section 305.1(c) is revised to read as follows:

§ 305.1 Official numbers.

(c) When inspection has been granted to any applicant at an establishment, it shall not be granted to any other person at the same establishment. However, persons operating as separate entities in the same building or structure may operate separate establishments therein only under their own grant of inspection. All such persons operating separate establishments in the same building or structure shall be responsible for compliance with the Act and regulations in their own establishments, which shall include common areas, e.g., hallways, stairways, and elevators.

PART 317—LABELING, MARKING DEVICES, AND CONTAINERS

3. Section 317.2(g) (1) is revised to read as follows:

§ 317.2 Labels: definitions; required features.

(g) (1) The name or trade name of the person that prepared the product may appear as the name of the manufacturer or packer without qualification on the label. Otherwise the name of the distributor of the product shall be shown with a phrase such as "Prepared for * * *". The place of business of the manufacturer, packer, or distributor shall be shown on the label by city, State, and postal ZIP code when such business is listed in a telephone or city directory, and if not listed in such directory, then the place of business shall be shown by street address, city, State, and postal ZIP code.

(Sec. 21, 34 Stat. 1260, as amended, 21 U.S.C. 621; 37 FR 28464, 28477)

It does not appear that further public participation in rulemaking proceedings would make additional relevant information available to the Department which would alter the decision in this matter. Therefore, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that further notice and other public rulemaking procedures on the amendments are impracticable and unnecessary.

The recordkeeping and/or reporting requirements contained herein have been approved by the Office of Management and Budget in accordance with the Federal Reports Act of 1942.

These amendments shall become effective on July 14, 1976.

Done at Washington, D.C., on January 7, 1975.

F. J. MULHERN,
Administrator,
Animal and Plant Health Inspection
Service.

[FR Doc.75-1043 Filed 1-13-75;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 10492; Amdt. SFAR 26-7]

PART 21—CERTIFICATION PROCEDURES FOR PRODUCTS AND PARTS

Approval of Import Aircraft Engines, Propellers, Materials, Parts, and Appliances; Continuation

The purpose of this amendment is to continue in effect the provisions of currently effective Special Federal Aviation Regulations No. 26 (SFAR 26), as amended by Amendments SFAR 26-1, 26-2, 26-3, 26-4, 26-5, and 26-6 until July 1, 1975.

SFAR 26 provides for approvals on a selective basis, of aircraft engines, propellers, materials, parts, and appliances manufactured in a foreign country with which the United States has an agreement for the acceptance of powered aircraft for export and import. SFAR 26 was adopted to provide these approvals on an interim basis pending appropriate amendments to those bilateral agreements where such amendments are in the mutual interest of the United States and the foreign country involved. The originally established termination date of March 1, 1972, for SFAR 26 was extended by Amendment SFAR 26-1 to September 1, 1972, by Amendment SFAR 26-2 to January 1, 1973, by Amendment SFAR 26-3 to July 1, 1973, by Amendment SFAR 26-4 to January 1, 1974, by Amendment SFAR 26-5 to July 1, 1974, and further extended by Amendment SFAR 26-6 to January 1, 1975.

At the present time the United States has entered into new bilateral agreements with the United Kingdom, Sweden, Belgium, Netherlands, Italy, Germany, and France, and the United States is continuing to negotiate amendments to the bilateral agreements which exist with a number of other foreign countries. However, the FAA is advised that the continuing negotiations will not be concluded by the January 1, 1975, termination date of SFAR 26. The reasons which justified the adoption of SFAR 26 still exist, and, in view of the pending negotiations, the FAA believes that it is in the public interest to extend the termination date of SFAR 26 from January 1, 1975 to July 1, 1975.

Since this amendment continues in effect the provisions of a currently effective Special Federal Aviation Regulation and imposes no additional burden on any person, I find that notice and public procedure hereon are unnecessary and

it may be made effective in less than 30 days.

(Sec. 313(a), 601, 603, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c))

In consideration of the foregoing, effective January 1, 1975, the last paragraph of Special Federal Aviation Regulation No. 26, published in the FEDERAL REGISTER (35 FR 12748) on August 12, 1970, as amended by Amendments SFAR 26-1, SPAR 26-2, SFAR 26-3, SFAR 26-4, SFAR 26-5, SFAR 26-6, published in the FEDERAL REGISTER (37 FR 4325, 37 FR 16789, 37 FR 28276, 38 FR 17491, 38 FR 35441, and 39 FR 25228) on March 2, 1972, August 19, 1972, December 22, 1972, July 2, 1973, December 28, 1973, and July 9, 1974, respectively, is further amended by striking out the words "January 1, 1975," and inserting the words "July 1, 1975," in place thereof.

Issued in Washington, D.C., on December 31, 1974.

ALEXANDER P. BUTTERFIELD,
Administrator.

[FR Doc.75-1075 Filed 1-13-75;8:45 am]

[Docket No. 14052; Amdts. 21-43, 23-16, 25-37]

AIRWORTHINESS REVIEW PROGRAM Form Number and Clarifying Revisions

The purpose of these amendments is to incorporate into Parts 21, 23, and 25 of the Federal Aviation Regulations several form number and clarifying revisions.

These amendments are based on a notice of proposed rule making (Notice No. 74-33) published in the FEDERAL REGISTER on October 11, 1974 (39 FR 36595) and are the first amendments issued as a part of the First Biennial Airworthiness Review Program (ref. Notice No. 74-5, 39 FR 5785). These amendments and the reasons therefor are the same as those proposed in Notice No. 74-33.

Interested persons have been afforded an opportunity to participate in the making of these amendments. No objections were received.

(Secs. 313(a), 601, 603, 608, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423, and 1428); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

In consideration of the foregoing, and for the reasons stated in Notice No. 74-33, Parts 21, 23, and 25 of the Federal Aviation Regulations are amended effective February 14, 1975, as follows:

PART 21—CERTIFICATION PROCEDURES FOR PRODUCTS AND PARTS

§ 21.251 [Amended]

1. By amending § 21.251(b) (4) (iii) and (iv) by striking the parenthetical expression "(FAA Form 186)" and inserting the expression "(FAA Form 8130-3)" in its place in both subdivisions.

§ 21.271 [Amended]

2. By amending § 21.271(a) by striking the parenthetical expression "(FAA Form 186)" and inserting the expression "(FAA Form 8130-3)" in its place.

§ 21.325 [Amended]

3. By amending § 21.325(a)(1) by striking the phrase "FAA Form 26" and inserting the phrase "FAA Form 8130-4" in its place, and by amending § 21.325(a)(2) by striking the phrase "FAA Form 186" and inserting the phrase "FAA Form 8130-3" in its place.

§ 21.339 [Amended]

4. By amending § 21.339(a) by striking the parenthetical expression "(FAA Form 1362)" and inserting the expression "(FAA Form 8100-2)" in its place, and by amending § 21.339(b) by striking the parenthetical expression "(FAA Form 306)" and inserting the expression "(FAA Form 8130-1)" in its place.

PART 23—AIRWORTHINESS STANDARDS: NORMAL, UTILITY, AND ACROBATIC CATEGORY AIRPLANES

§ 23.335 [Amended]

5. By amending § 23.335(c)(1) by striking the parenthetical expression "(in miles per hour)".

APPENDIX A [AMENDED]

6. By amending Part 23, Appendix A, A23.3, by adding, after each of the four speed equations, the abbreviation: "kts."

7. By amending Part 23, Appendix A, Figure A-3 by inserting, under the title, the sentence: "Speeds are in knots."

PART 25—AIRWORTHINESS STANDARDS: TRANSPORT CATEGORY AIRPLANES

8. By amending § 25.1459(a)(1) to read as follows:

§ 25.1459 Flight recorders.

(a) * * *

(1) It is supplied with airspeed, altitude, and directional data obtained from sources that meet the accuracy requirements of §§ 25.1323, 25.1325, and 25.1327, as appropriate;

Issued in Washington, D.C. on December 31, 1974.

ALEXANDER P. BUTTERFIELD,
Administrator.

[FR Doc.75-1076 Filed 1-13-75;8:45 am]

[Airspace Docket No. 74-SO-123]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regula-

tions is to alter the Eufaula, Ala., transition area.

The Eufaula transition area is described in § 71.181 (40 FR 441). In the description, an extension predicated on the Eufaula VOR 014° radial was designated to provide controlled airspace protection for IFR aircraft executing the VOR Runway 18 Instrument Approach Procedure, which is predicated on a 7-mile DME arc. Since the arc will be increased to 9 miles, effective February 6, 1975, it is necessary to increase the width of the extension to 8 miles and the length to 10 miles. Since this amendment is minor in nature, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., February 6, 1975, as hereinafter set forth.

In § 71.181 (40 FR 441), the Eufaula, Ala., transition area is amended as follows: " * * * within 3 miles each side of Eufaula VOR 014° radial, extending from the 6.5-mile radius area to 8.5 miles north of the VOR * * * " is deleted and " * * * within 4 miles each side of Eufaula VOR 014° radial, extending from the 6.5-mile radius area to 10 miles north of the VOR * * * " is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a)); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in East Point, Ga., on January 6, 1975.

PHILLIP M. SWATEK,
Director, Southern Region.

[FR Doc.75-1077 Filed 1-13-75;8:45 am]

[Docket No. 13284 Amdt. 95-255]

PART 95—IFR ALTITUDES

Exception to Western United States Mountainous Area

The purpose of this amendment to Part 95 of the Federal Aviation Regulations is to add an additional exception to that portion of the Western United States described in § 95.15(a) and designated as a mountainous area under § 95.11. The area that is added as an exception is in the vicinity of Puget Sound in the northwest portion of the State of Washington.

Interested persons have been afforded an opportunity to participate in the making of this amendment by a notice of proposed rule making (Notice 73-28) issued on October 17, 1973, and published in the FEDERAL REGISTER on November 1, 1973 (38 FR 30109). Due consideration has been given to all comments presented in response to the notice. Except for minor editorial changes, and except as specifically discussed hereinafter, these amendments and the reasons therefor are the same as those in Notice 73-28.

All public comments received in response to the notice favored the adoption of the proposed exception which will provide additional operational altitudes in this area.

The import of an area being designated as a mountainous area is reflected in §§ 91.119, 91.195, 121.657, and 135.91. Section 91.119(a)(2)(i) prescribes in pertinent part, that no person may operate a aircraft under IFR over an area designated as a mountainous area in Part 95 (where no minimum altitudes are prescribed for that area in Parts 95 and 97), unless an altitude of at least 2,000 feet is maintained above the highest obstacle within a horizontal distance of five statute miles from the course to be flown. Sections 91.195(a)(2) and 135.91(a)(2) provide similar requirements for VFR night operations conducted under Subpart D of Part 91 and Part 135, and § 121.657(c) provides, in pertinent part, a similar requirement for night VFR, IFR, and over-the-top operations conducted under Part 121. With respect to those operations not conducted over designated mountainous areas, under §§ 91.119(a)(2)(ii), 91.195(a)(2), 121.657(c), and 135.91(a)(2), the requirements are similar except that a limitation of 1,000 feet is required in place of a limitation of 2,000 feet as is required for areas designated as mountainous areas.

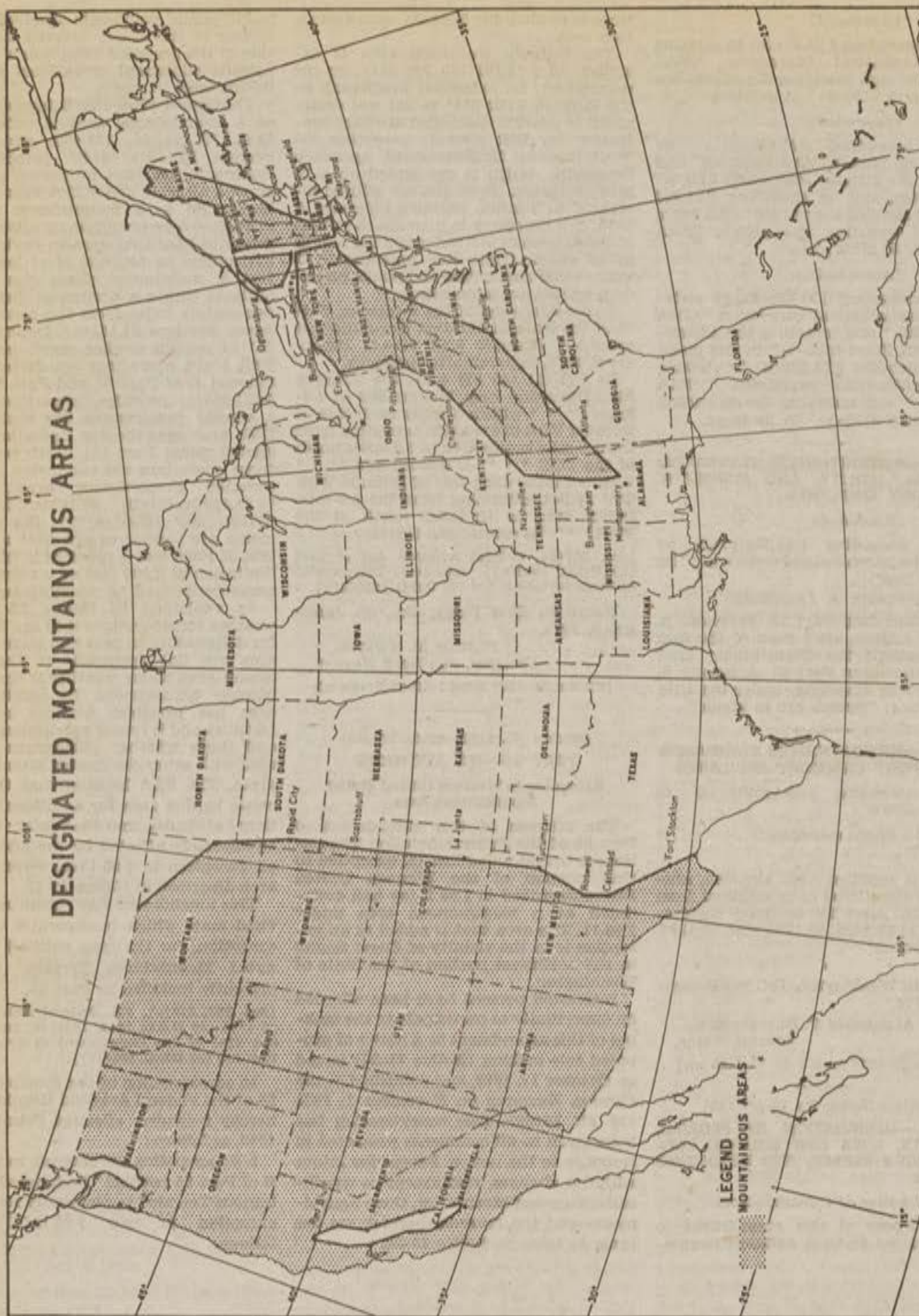
As explained in Notice 73-28, the weather considerations that are the basis for designating an area as a mountainous area are not applicable to the Puget Sound Area where weather is characteristically homogenous. In addition, the area has excellent weather reporting facilities and is free of precipitous terrain and those whether phenomena associated with other designated mountainous areas. The FAA believes that the need exists in this area for additional operational altitudes, and that safety will not be adversely affected by the addition of an exception to § 95.15(b) covering the area described in Notice 73-28.

This amendment also substitutes a revised map, which incorporates the new exception, for the map entitled "Designated Mountainous Terrain" that is presently included in Part 95.

(Sec. 307, 313(a), 601, Federal Aviation Act of 1958 (49 U.S.C. 1348, 1354(a), and 1421); sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).)

In consideration of the foregoing, Part 95 of the Federal Aviation Regulations is hereby amended, effective February 13, 1975, as follows:

1. By amending the diagram in Subpart B of Part 95 entitled "Designated Mountainous Terrain" to pictorially reflect the exception in new § 95.15(b)(2) as follows:



2. By amending paragraph (b) of § 95.15 by redesignating the present language of that paragraph as subparagraph (b) (1) and by adding a new subparagraph (b) (2) to read as follows:

§ 95.15 Western United States Mountainous Area.

(b) Exceptions. * * *

(2) Beginning at latitude 49°00' N., longitude 122°21' W.; thence to latitude 48°34' N., longitude 122°21' W.; thence to latitude 48°08' N., longitude 122°00' W.; thence to latitude 47°12' N., longitude 122°00' W.; thence to latitude 46°59' N., longitude 122°13' W.; thence to latitude 46°52' N., longitude 122°16' W.; thence to latitude 46°50' N., longitude 122°40' W.; thence to latitude 46°35' N., longitude 122°48' W.; thence to latitude 46°35' N., longitude 123°17' W.; thence to latitude 47°15' N., longitude 123°17' W.; thence to latitude 47°41' N., longitude 122°54' W.; thence to latitude 48°03' N., longitude 122°48' W.; thence to latitude 48°17' N., longitude 123°15' W.; thence North and East along the United States and Canada boundary to latitude 49°00' N., longitude 122°21' W., point of beginning.

Issued in Washington, D.C. on January 3, 1975.

ALEXANDER P. BUTTERFIELD,
Administrator.

[FR Doc.75-969 Filed 1-10-75;8:45 am]

Title 18—Conservation of Power and Water Resources

CHAPTER I—FEDERAL POWER COMMISSION

[Docket No. R-389-B; Opinion 699-I]

PART 2—GENERAL POLICY AND INTERPRETATIONS

Just and Reasonable National Rates for Natural Gas Sales

JANUARY 7, 1975.

Just and reasonable national rates for sales of natural gas from wells commenced on or after January 1, 1973, and new dedications of natural gas to interstate commerce on or after January 1, 1973 (Docket No. R-389-B; opinion No. 699-I; opinion and order modifying in part Opinion No. 699-H).

It is apparent that some confusion exists with respect to the provisions of Opinion No. 699-H¹ and § 2.56a(a) (2) (ii)² which allow producers who have applied for certificates of public convenience and necessity pursuant to the optional procedure³ to receive the national rate prescribed in § 2.56a(a) (1)⁴ in lieu of the applied for rate under the optional procedure.

In providing that producers who had filed for certificates pursuant to the op-

tional procedure could receive the national rate, we did not intend that those producers would be permitted to receive the national rate where such rate is more beneficial to the producer than the rate which was sought under the optional procedure and where deliveries have commenced pursuant to the optional procedure. That is the holding of the *Texas Gas Exploration Corporation*⁵ case and Opinion No. 699-H does not reverse that holding.

Opinion No. 699-H and § 2.56a(a) (2) (ii) were not intended to allow any producer who has commenced sales pursuant to § 2.75(n)⁶ to file for the national rate in lieu of the applied for contract rate under the optional procedure. Initially, a producer has the choice of applying for a certificate under the optional procedure or the national rate, but after a choice has been made and the benefits of either certification procedure obtained, the producer does not have "the benefit of choosing the most advantageous (to it) of the two certification procedures authorized by the Commission, without any resulting benefit to the purchasing pipelines or gas consumers dependent thereon."⁷ We affirm our holding in *Texas Gas Exploration Corporation* that a producer who has enjoyed the benefits of the Order No. 455 may not renounce the burdens of that order in an attempt to gain the more "advantageous (to it)" burdens and benefits of the national rate structure.⁸ Opinion No. 699-H and § 2.56a(a) (2) (ii) must be construed in light of this holding.

Because of the potential for confusion exists, we find that it is in the public interest to amend § 2.56(a) (2) (ii) as set forth below in Ordering Paragraph (A) to define the terms and conditions under which sales commenced pursuant to the optional procedure may be certificated at the national rate. Where the average price and escalations provided for in the contract filed pursuant to the optional procedure are equal to or greater than the average price determined pursuant to the national rate regulations without regard for any price increases which might result from the biennial review of the national rate pursuant to § 2.56a (n),⁹ the Commission will determine whether to allow the producer the just and reasonable rate under the national rate structure, provided no certificate for the subject sale has been issued pursuant to § 2.75.

Where the contract originally filed pursuant to the optional procedure has been amended since the date of filing, the producer will not be permitted to receive the national rate in lieu of the contract price unless the producer can demonstrate at a hearing before an administrative law judge that the benefits under the national rate regulations are

less than the benefits under the amended contract and that the contract was not amended solely for the purpose of attempting to gain the benefits of § 2.56a. This limitation is not in derogation of the producer's right to receive the national rate pursuant to § 2.75(o) as amended by Order No. 455-B, — F.P.C. — (November 25, 1974).

We would also note that the fact that contracts filed pursuant to the optional procedure contain an "area rate" clause does not permit the applicant to file for the national rate since such clauses are prohibited by the optional procedure regulations.¹⁰

The first paragraph of § 2.56a(c) (1) is modified as set forth below by deleting the words "at least" and inserting in their place the words "a base" to conform the wording of the downward BTU adjustment to the upward BTU adjustment.

Section 2.56a(o) is modified as set forth below by deleting the reference to Opinion No. 699-E and inserting a reference to Opinion No. 699-H.

Section 2.56(f) (3) adopted by Ordering Paragraph (B) of Opinion No. 699-H is amended to read as set forth below in order to conform it to § 2.56a(k)

The Commission, acting pursuant to the provisions of the Natural Gas Act, as amended, particularly sections 4, 5, 7, 8, 14, 15, and 16 thereof (52 Stat. 822, 823, 824, 825, 828, 829, 830 (1938); 56 Stat. 83, 84, (1942); 61 Stat. 459 (1947); 76 Stat. 72 (1962); 15 U.S.C. 717c, 717d, 717f, 717g, 717m, 717n, 717o (1970)), orders:

§ 2.56a [Amended]

(A) Section 2.56a(a) (2) (ii) (18 CFR 2.56a(a) (2) (ii)) is amended to read as follows:

(i) Sales made pursuant to (A) contracts for the sale of natural gas in interstate commerce for gas not previously sold in interstate commerce prior to January 1, 1973, except pursuant to the provisions of §§ 2.68, 2.70, 157.22, or 157.29 (including sales made pursuant to those sections as modified by Federal Power Commission Order No. 491, et al.); or (B) § 2.75(n), where such sales are initiated on or after January 1, 1973, if the average of the sum of the proposed contract price, periodic escalations, and Btu and tax adjustments is greater than the average of the sum of the base national rate prescribed in paragraph (a) (1) of this section, the annual escalation prescribed in paragraph (a) (3) of this section, and the Btu and tax adjustments prescribed in paragraphs (c) and (b) (1) of this section, over the term of the contract submitted for certification pursuant to the optional procedure, provided that no certificate for the subject sale has been issued pursuant to the optional procedure (§ 2.75).

(B) The first paragraph of § 2.56a(c) (1) is amended to read as follows:

(1) For natural gas containing more than 1,000 Btu's per cubic foot, at 60° F. and 14.73 psia, upward adjustments shall be made on a proportional basis from a base of 1,000 Btu's per cubic foot; and

¹⁰ 18 CFR 2.75.

¹ — F.P.C. — at —; Opinion No. 699-H at 45.

² 18 CFR 2.56a(a) (2) (ii).

³ *Optional Procedure For Certifying New Producer Sales Of Natural Gas*, 48 F.P.C. 218, amended and reh. denied, 48 F.P.C. 477, reh. denied, 48 F.P.C. 1002 (1972), affirmed in part *John E. Moss, et al. v. F.P.C.*, Nos. 72-1837, et al., D.C. Cir., August 15, 1974 (Reversed as to pregranted abandonment, § 2.75(e)).

⁴ 18 CFR 2.56a(a) (1).

⁵ Docket No. CI73-681; Opinion No. 706, — F.P.C. — (September 17, 1974).

⁶ 18 CFR 2.75(n).

⁷ — F.P.C. — at —; Opinion No. 706 at 6.

⁸ Id.

⁹ 18 CFR 2.56a(a) (3).

¹⁰ 18 CFR 2.56a(n).

for natural gas containing less than 1,000 Btu's per cubic foot, at 60° F. and 14.73 psia, downward adjustments shall be made on a proportional basis from a base of 1,000 Btu's per cubic foot.

(C) Section 2.56a(c) is amended by revising the second sentence of that section to read as follows: "By this Opinion No. 699-H, said § 2.56(h) is revised and designated as § 2.56a (18 CFR § 2.56a)."

§ 2.56 [Amended]

(D) Section 2.56(f)(3) is revised to read as follows:

(3) *Reservoirs Discovered On Or After January 1, 1973.*

The rate for gas sold from new reservoirs discovered on or after January 1, 1973, shall be determined by § 2.56a(k).

(E) The effective date of the modifications made herein is June 21, 1974.

(F) The Secretary of the Commission shall cause prompt publication of this opinion and order to be made in the *FEDERAL REGISTER*.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1149 Filed 1-13-75; 8:45 am]

Title 21—Food and Drugs

CHAPTER I—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

SUBCHAPTER A—GENERAL

PART 2—ADMINISTRATIVE FUNCTIONS, PRACTICES, AND PROCEDURES

Subpart H—Delegations of Authority

REVISION OF DELEGATIONS OF AUTHORITY TO DESIGNATE OFFICIAL MASTER AND WORKING STANDARDS FOR ANTIBIOTIC DRUGS

Correction

In FR Doc. 74-29059 appearing on page 43390 in the issue for Friday, December 13, 1974 the paragraph heading for § 2.121(n) now reading "Delegation regarding designation for antibiotic drugs", should read "Delegation regarding designation of official master and working standards for antibiotic drugs."

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

FOOD STARCH-MODIFIED

The Commissioner of Food and Drugs, having evaluated data in a petition (FAP 4A3947) filed by American Maize-Products Co., 113th St. and Indianapolis Blvd., Hammond, IN 46326, concludes that the food additive regulations (21 CFR Part 121) should be amended, as set forth below, to provide for the safe use of food starch-modified by treatment with phosphorus oxychloride followed by acetic anhydride or vinyl acetate.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under authority delegated to the Commissioner (21 CFR

2.120), § 121.1031 is amended in paragraph (d) by inserting alphabetically a new item as follows:

§ 121.1031 Food starch-modified.

(d) . . .

Limitations

Phosphorus oxychloride, not to exceed 0.1 percent, followed by either acetic anhydride, not to exceed 8 percent, or vinyl acetate, not to exceed 7.5 percent.

Acetyl groups in food starch-modified not to exceed 2.5 percent.

Any person who will be adversely affected by the foregoing order may at any time on or before February 13, 1975 file with the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order, specify with particularity the provisions of the order deemed objectionable, and state the grounds for the objections. If a hearing is requested, the objections shall state the issues for the hearing, shall be supported by grounds factually and legally sufficient to justify the relief sought, and shall include a detailed description and analysis of the factual information intended to be presented in support of the objections in the event that a hearing is held. Objections may be accompanied by a memorandum or brief in support thereof. Six copies of all documents shall be filed. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date. This order shall become effective January 14, 1975.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1).)

Dated: January 7, 1975.

SAM D. FINE,
Associate Commissioner for
Compliance.

[FR Doc.75-1099 Filed 1-13-75; 8:45 am]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

COMPONENTS OF PAPER AND PAPERBOARD IN CONTACT WITH AQUEOUS AND FATTY FOODS

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 4B3018) filed by Calgon Corp., Calgon Center, Box 1346, Pittsburgh, PA 15230, and other relevant material, concludes that § 121.2526(a)(5) should be amended by revising the item "Diallyldiethylammonium chloride polymer with acrylamide and diallyldimethylammonium chloride, partially hydrolyzed . . ." by (1) permitting an alternative monomer charge to be used in producing the

finished resin and (2) changing the viscosity limitation for a 1 percent by weight aqueous solution of the resin from a range of 22-25 centipoises at 22° C to a minimum of 22 centipoises at 22° C.

Also, it has come to the Commissioner's attention that the same item should be further changed to conform to the original petition by correcting the value "2.4" to read "2.5" for the reactant "Diallyldiethylammonium chloride" in the weight ratio of reactants. And, for clarity and specificity, "amide groups" should be expressed as "acrylamide" and "potassium carboxylate groups" as "potassium acrylate".

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under authority delegated to the Commissioner (21 CFR 2.120), § 121.2526(a)(5) is amended by revising the listing for the item "Diallyldiethylammonium chloride polymer with acrylamide and diallyldimethylammonium chloride, partially hydrolyzed . . ." to read as follows:

§ 121.2526 Components of paper and paperboard in contact with aqueous and fatty foods.

(a) . . .

(5) . . .

List of substances

Limitations

Diallyldiethylammonium chloride polymer with acrylamide, potassium acrylate, and diallyldimethylammonium chloride. The polymer is produced by copolymerizing either: (1) acrylamide, diallyldiethylammonium chloride, and diallyldimethylammonium chloride in a weight ratio of 50-2.5-47.5, respectively, with 4.4 percent of the acrylamide subsequently hydrolyzed to potassium acrylate, or (2) acrylamide, potassium acrylate (as acrylic acid), diallyldiethylammonium chloride, and diallyldimethylammonium chloride in a weight ratio of 47.8-2.2-2.5-47.5, so that the finished resin in a 1 percent by weight aqueous solution has a minimum viscosity of 22 centipoises at 22° C, as determined by LVF-series Brookfield viscometer using a No. 1 spindle at 60 r.p.m. (or by other equivalent method).

For use only as a retention aid employed prior to the sheet-forming operation in the manufacture of paper and paperboard and limited to use at a level not to exceed 0.05 percent by weight of the finished paper and paperboard.

Any person who will be adversely affected by the foregoing order may at

any time on or before February 13, 1975 file with the Hearing Clerk, Food and Drug Administration Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order, specify with particularity the provisions of the order deemed objectionable, and state the grounds for the objections. If a hearing is requested, the objections shall state the issues for the hearing, shall be supported by grounds factually and legally sufficient to justify the relief sought, and shall include a detailed description and analysis of the factual information intended to be presented in support of the objections in the event that a hearing is held. Objections may be accompanied by a memorandum or brief in support thereof. Six copies of all documents shall be filed. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date. This order shall become effective January 14, 1975.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1).)

Dated: January 7, 1975.

SAM D. FINE,
Associate Commissioner for
Compliance.

[FR Doc.75-1097 Filed 1-13-75; 8:45 am]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

RESINOUS AND POLYMERIC COATINGS FOR POLYOLEFIN FILMS

The Commissioner of Food and Drugs, having evaluated data in a petition (FAP 4B2981) filed by Exxon Research and Engineering Co., P.O. Box 45, Linden, NJ 07036, and other relevant material, concludes that the food additive regulations (21 CFR Part 121) should be amended, as set forth below, to provide for the safe use of petroleum alicyclic hydrocarbon resins blended with butyl rubber as a component of coatings on polyolefin fabrics intended for bulk packaging of fruits and vegetables.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under authority delegated to the Commissioner (21 CFR 2.120), § 121.2569 is amended in paragraph (b)(3)(i) by alphabetically adding to the list of substances a new item, as follows:

§ 121.2569 Resinous and polymeric coatings for polyolefin films.

(b) * * *

(3) * * *

List of substances	Limitations
(1) Resins and polymers:	

Petroleum alicyclic hydrocarbon resins.	As defined in § 121.2526. Blended with butyl rubber for use as a component of coatings on polyolefin fabric for bulk packaging of raw fruits and vegetables and used at a level not to exceed 25 percent by weight of the total coating solids.
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Any person who will be adversely affected by the foregoing order may at any time on or before February 13, 1975 file with the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order, specify with particularity the provisions of the order deemed objectionable, and state the grounds for the objections. If a hearing is requested, the objections shall state the issues for the hearing, shall be supported by grounds factually and legally sufficient to justify the relief sought, and shall include a detailed description and analysis of the factual information intended to be presented in support of the objections in the event that a hearing is held. Objections may be accompanied by a memorandum or brief in support thereof. Six copies of all documents shall be filed. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date. This order shall become effective January 14, 1975.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1).)

Dated: January 6, 1975.

SAM D. FINE,
Associate Commissioner for
Compliance.

[FR Doc.75-1098 Filed 1-13-75; 8:45 am]

Title 23—Highways

CHAPTER I—FEDERAL HIGHWAY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

SUBCHAPTER E—PLANNING

PART 490—SPECIAL PROGRAMS

Economic Growth Center Development Highways; Correction

Appendix A to Subpart A of Part 490 of Subchapter E of Chapter I, Title 23, Code of Federal Regulations, as published on Monday, September 30, 1974, at 39 FR 35144 contains several errors. Appendix A, as corrected, is hereby republished in its entirety.

Since the matters affected relate to grants, benefits, or contracts within the purview of 5 U.S.C. 553(a)(2), general notice of proposed rulemaking is not required.

This correction will take effect on the date of issuance.

Issued on January 6, 1975.

DAVID E. WELLS,
Chief Counsel.

APPENDIX A—CRITERIA FOR SELECTION OF ECONOMIC GROWTH CENTERS AND DEVELOPMENT HIGHWAY PROJECTS

Requirements for Governors' Submittal to the Regional Federal Highway Administrators. In order to meet the requirements of 23 U.S.C. 143, the Secretary has established through the Federal Highway Administration and in consultation with the Secretary of Commerce and the regional commissions,¹ the following criteria that must be considered by the Governors in recommending growth centers and in establishing a priority listing.

A. Legislative Criteria for Economic Growth Center Selection. 1. Growth centers shall be geographically and economically capable of contributing significantly to the development of the surrounding areas.

2. Growth centers shall have a population not in excess of 100,000 according to the 1970 Federal Census of Population; and

3. The selection of growth centers within the Appalachian region and in the economic development regions, shall take into account the purposes of the Appalachian Regional Development Act of 1965 and the Public Works and Economic Development Act of 1965.

B. Administrative Criteria for Economic Growth Center Selection. Listed below are additional criteria or guidelines to which Governors, in consultation with the State highway departments, and regional development commissions and development or planning agencies, when appropriate, shall direct their attention when recommending economic growth centers for selection. Because of the many objectives of 23 U.S.C. 143, recommended centers need not be related necessarily to any single administrative criterion. Centers could include communities with either demonstrated or potential viability.

1. To obtain maximum development from economic growth center funds, the States are encouraged to concentrate on additional projects serving growth centers approved under the demonstration phase of this program.

2. In recommending new or substitute economic growth centers, Governors shall give top priority to areas included in existing regional development programs. Consideration shall also be given to local development districts established by State and local action under the Appalachian Regional Commission.

a. By giving special consideration in the selection process to growth centers designated under programs which have already received or which are slated to receive additional amounts of public and private capital investments, a leverage effect on development potential will be exerted.

b. Proper channels of communication should be observed by the State highway agencies with such other regional, State, and local commissions and agencies as are involved under the terms of Title 23 U.S.C. 143. 23 U.S.C. 143(f) requires the Secretary of Transportation, prior to project approval, to consult with the Federal Chairman of the Appalachian Regional Commission when a

¹ Regional Commissions refer to the Appalachian Regional Commission and the commissions established under Title V of the Public Works and Economic Development Act of 1965.

project is proposed to be conducted in the Appalachian region, as defined in section 403 of the Appalachian Regional Development Act of 1965, and with the Secretary of Commerce when a project is proposed in an economic development region as defined in Title V of the Public Works and Economic Development Act of 1965. In fulfillment of this requirement, the States, when submitting growth center projects for approval, shall include in their submissions a statement of the attitudes and reactions of the above agencies.

3. Communities or centers also may be recommended for selection even though they are not included in ongoing regional development programs if they offer possibilities for growth through natural resource development or other industrial or commercial activities. Prospective growth centers possessing the following attributes will merit special consideration because of demonstrated viability:

a. Centers which provided during the past decade, or in a more recent period, significant employment and residence opportunities for residents from nearby or surrounding rural counties.

b. Centers or communities which have been growing in a relative sense to the surrounding area or region; i.e., centers which during the past decade, or in a more recent period, evidenced high average wage levels or faster population and/or employment growth relative to surrounding rural counties and/or the region.

c. Communities which evidence potential viability based on private and public plans and data submitted, also may be recommended. It is conceivable that some communities may have shown little or even no growth over the past decade, but have definitely served an important function as a service and employment center for the surrounding rural areas and have inherent but untapped growth potential. Had this role not been played by the recommended center, the surrounding counties, though possibly stagnant during recent decades, might have suffered even further decline in economic performance. If such a role will likely continue into the future, or if prospects are favorable for future growth because of industry location plans and governmental investment, such communities may be recommended as economic growth centers. Data on such further prospects should be forwarded by the respective Governors together with data on boundaries of operationally defined service or trade areas, measured, perhaps, by newspaper routes, commuting patterns, or labor market boundaries.

d. The ability to support future growth may be integrally related to the diversification of the economic base of a community. Such diversification would be indicated by a wide variety of manufacturing or service industry activities (as measured, for instance, by the proportion of the total work force employed in each of the activities, or by the proportion of total income earned in each of the activities) providing goods and services to both local and regional or national markets.

e. A community's viability may also be indicated by the availability of existing or planned alternative transportation systems including publicly owned airport and water-port facilities.

f. Other indicators of the capability of proposed growth centers include, but are not limited to:

- (1) Availability of adjacent land suitable for industrial commercial development,
- (2) Availability of adequate water resources for human, industrial, and commercial consumption, and

(3) Utilities, schools, and other public services adequate to meet the community's current and future needs.

4. Consideration should be given to new towns or communities in rural settings. Such communities may also be eligible for financial and other assistance for highway projects under Section 710 of the Housing and Urban Development Act of 1970. Additionally, newly developed communities may be used for the testing and development of technological, physical, and institutional innovation applicable to other communities and areas. New towns which are satellite or bedroom communities of metropolitan areas are not the types of communities to which this legislation is addressed.

C. Other Requirements. 1. Proposed growth centers including an urban area of 50,000 population or more shall meet the requirements for urban transportation planning specified in Title 23, U.S.C. 134.

2. When recommending centers for approval Governors should submit summaries of any formal private or public plans related to the economic and social development of a proposed growth center and surrounding areas, if these have been developed. The availability of such a plan is not mandatory, although existence of a formal economic development planning process indicates the extent of community and regional interest in development. When such plans are unavailable, Governors shall submit relevant social and economic data to support their rationale for selection. Such data should illustrate the present condition of the center and target areas, major impediments to development; present intermodal transportation facilities and their linkages to the growth center, markets, the rural hinterland, and the overall transportation network; and the possible impact upon the area and region resulting from more adequate transportation connections. Estimates of the expected impact of the highway program in conjunction with the public and private programs are important in determining priorities for growth center selection and approval.

[FR Doc. 75-1165 Filed 1-13-75; 8:45 am]

Title 24—Housing and Urban Development CHAPTER V—OFFICE OF ASSISTANT SECRETARY FOR COMMUNITY PLANNING AND DEVELOPMENT

[Docket No. R-74-292]

PART 570—COMMUNITY DEVELOPMENT BLOCK GRANTS

Correction

In FR Doc. 74-26565, appearing at page 40136 in the issue of Wednesday, November 13, 1974, make the following changes:

1. On page 40146 delete entirely § 570.600 *Maintenance of effort*.

2. On page 40147 the section number for the section headed *Limitations on local option activities and contingency accounts* should read § 570.600, so that the corrected heading reads § 570.600 *Limitations on local option activities and contingency accounts*.

Title 33—Navigation and Navigable Waters CHAPTER II—CORPS OF ENGINEERS, DEPARTMENT OF THE ARMY

PART 210—PROCUREMENT ACTIVITIES OF THE CORPS OF ENGINEERS

Board of Contract Appeals

1. The Corps of Engineers Board of Contract Appeals has revised its rules

of procedure which presently appear in 33 CFR 210.4 and 210.5. The revised rules will apply from the date of their publication in the *FEDERAL REGISTER* (1-14-75) to all cases before the Corps of Engineers Board of Contract Appeals, including cases already docketed prior to the date of such publication except to the extent that the Board directs that a former procedure shall apply to any such pending case. These rules will supersede the present coverage in 33 CFR 210.4 and 210.5.

2. Since the inclosed rules specify Agency procedure to be followed, notice of proposed rule making and the procedures thereto are not necessary.

Dated: January 7, 1975.

For The Chief of Engineers.

CHESTER SHATZ,
Administrative Judge,
Member of Board.

Part 210 of 33 CFR chapter II is amended by deleting § 210.5 and revising § 210.4 to read as follows:

§ 210.4 Rules of the Corps of Engineers Board of Contract Appeals, Office of the Chief of Engineers.

(a) *Preface to rules.* (1) The Corps of Engineers Board of Contract Appeals is the authorized representative of the Chief of Engineers for the purpose of hearing, considering and determining, as fully and finally as he might, appeals by contractors from decisions of contracting officers or their authorized representative or other authorities on disputed questions, taken pursuant to the provision of contracts requiring the determination of such appeals by the Chief of Engineers or his duly authorized representative or Board.

(2) When an appeal is taken pursuant to a disputes clause in a contract which limits appeals to disputes concerning questions of fact, the Board may in its discretion hear, consider and decide all questions of law necessary for the complete adjudication of the issue. In the consideration of an appeal, should it appear that a claim is involved which is not cognizable under the terms of the contract, the Board may make findings of fact with respect to such a claim without expressing an opinion on the question of liability.

(3) Emphasis is placed upon the sound administration of these rules in specific cases, because it is impracticable to articulate a rule to fit every possible circumstance which may be encountered. These rules will be interpreted so as to secure a just and inexpensive determination of appeals without unnecessary delay.

(4) Preliminary procedures are available to encourage full disclosure of relevant and material facts, and to discourage unwarranted surprise. The parties are expected to cooperate and to voluntarily comply with the intent of such procedures without resort to the Board except on controversial questions. The Board may order exchange of complicated exhibits prior to hearing in order to expedite the hearing.

(5) All time limitations specified for various procedural actions are computed as maximums, and are not to be fully exhausted if the action described can be accomplished in a lesser period. These time limitations are similarly eligible for extension in appropriate circumstances, on good cause shown.

(6) Whenever reference is made to contractor, appellant, contracting officer, respondent and parties, this shall include respective counsel for the parties, as soon as appropriate notices of appearance have been filed with the Board.

(b) *Rule 1, Appeals, how taken.* Notice of an appeal must be in writing and the original, together with two copies, may be filed with the contracting officer from whose decision the appeal is taken. The notice of appeal shall be mailed or otherwise filed within the time specified therefor in the contract or allowed by applicable provision of directive or law.

(c) *Rule 2, Notice of appeal, contents of.* A notice of appeal should indicate that an appeal is thereby intended, and should identify the contract (by number) and the decision from which the appeal is taken. The notice of appeal should be signed personally by the appellant (the contractor making the appeal), or by an officer of the appellant corporation or member of the appellant firm, or by the contractor's duly authorized representative or attorney. The complaint referred to in Rule 6 may be filed with the notice of appeal, or the appellant may designate the notice of appeal as a complaint, if it otherwise fulfills the requirements of a complaint.

(d) *Rule 3, Forwarding of appeals.* When a notice of appeal in any form has been received by the contracting officer, he shall endorse thereon the date of mailing (or date of receipt, if otherwise conveyed) and within 10 days shall forward said notice of appeal, together with a copy of the decision appealed from, to the Board. Following receipt by the Board of the papers described in the next rule (Rule 4), the contractor will be promptly advised of its receipt and that the appeal is then considered docketed, and the contractor will be furnished a copy of these rules.

(e) *Rule 4, Preparation, contents, organization, forwarding and status of appeal file—(1) Duties of contracting officer.* Following receipt of a notice of appeal or advice that an appeal has been filed, the contracting officer shall compile and transmit to the Board and the government trial attorney an appeal file consisting of all documents pertinent to the appeal including in particular:

(i) The decision and findings of fact from which the appeal was taken;

(ii) The contract including pertinent amendments, specifications, plans and drawings;

(iii) All correspondence between the parties pertinent to the appeal, including the letter or letters of claim in response to which a decision was issued;

(iv) Transcripts of any testimony taken during the course of proceedings

and affidavits or statements of any witnesses on the matter in dispute made prior to the filing of the notice of appeal with the Board;

(v) Such additional information as may be considered material.

The contracting officer shall at the same time furnish to the appellant a copy of each document in the appeal file except those set forth in paragraph (e) (1) (ii) of this section, as to which a list furnished appellant indicating the specific contractual documents included in the file will suffice, and those set forth in paragraph (e) (4) of this section.

(2) *Supplementation of appeal file.* Within 30 days after receipt of its copy of the appeal file the appellant may supplement the same by furnishing to the Board any document not contained therein which he considers pertinent to the appeal and furnishing two copies of each document to the government trial attorney.

(3) *Organization of appeal file.* Documents in the appeal file may be originals or legible facsimiles or authenticated copies thereof and shall be arranged in chronological order, where practicable, numbered sequentially, tabbed and indexed to identify the contents of the file.

(4) *Lengthy documents.* The Board, on motion of a party, may waive the requirement of furnishing to the other party copies of bulky, lengthy or out-of-size documents in the appeal file when a party has shown that doing so would impose an undue burden. At the time a party files with the Board a document as to which such a waiver has been granted, he shall notify the other party that the same or a copy is available for inspection at the office of the Board or of the party filing the same.

(5) *Status of documents in appeal file.* Documents in the appeal file are considered as evidence in the case. A party to the appeal may at any time prior to the conclusion of a hearing or in the case of an appeal submitted on the record prior to the date of the notice that the case is ready for decision object to the inclusion of any document in the appeal file. The Administrative Judge hearing the case will rule on the objection as on any other objection to the admission of evidence.

(f) *Rule 5, Dismissal for lack of jurisdiction.* Any motion addressed to the jurisdiction of the Board shall be promptly filed. Hearing on the motion shall be afforded on application of either party, unless the Board determines that its decision on the motion will be deferred pending hearing on both the merits and the motion. The Board shall have the right at any time and on its own motion to raise the issue of its jurisdiction to proceed with a particular case, and shall do so by an appropriate order, affording the parties an opportunity to be heard thereon.

(g) *Rule 6, Pleadings.* (1) Within 30 days after receipt of notice of docketing of the appeal, as provided in the last sentence of Rule 3, the appellant shall file with the Board an original and two

copies of a complaint setting forth simple, concise and direct statements of each of his claims, alleging the basis with appropriate reference to contract provisions for each claim, and the dollar amount claimed. This pleading shall fulfill the generally recognized requirements of a complaint, although no particular form or formality is required. Upon receipt thereof, the Recorder of the Board shall serve a copy upon the respondent. Should the complaint not be received within 30 days, appellant's claim and appeal may, if in the opinion of the Board the issues before the Board are sufficiently defined, be deemed to set forth his complaint and the respondent shall be so notified.

(2) Within 30 days from receipt of said complaint, or the aforesaid notice from the Recorder of the Board, respondent shall prepare and file with the Board an original and two copies of an answer thereto, setting forth simple, concise and direct statements of respondent's defenses to each claim asserted by appellant. This pleading shall fulfill the generally recognized requirements of an answer, and shall set forth any affirmative defenses or counterclaims, as appropriate. Upon receipt thereof, the Recorder shall serve a copy upon appellant. Should the answer not be received within 30 days, the Board may, in its discretion, enter a general denial on behalf of the Government, and the appellant shall be so notified.

(h) *Rule 7, Amendments of pleadings or record.* (1) The Board upon its own initiative or upon application by a party may, in its discretion, order a party to make a more definite statement of the complaint or answer, or to reply to an answer.

(2) The Board may, in its discretion, and within the proper scope of the appeal, permit either party to amend his pleading upon conditions just to both parties. When issues within the proper scope of the appeal, but not raised by the pleadings or the documentation described in Rule 4, are tried by express or implied consent of the parties, or by permission of the Board, they shall be treated in all respects as if they had been raised therein. In such instances motions to amend the pleadings to conform to the proof may be entered, but are not required. If evidence is objected to at a hearing on the ground that it is not within the issues raised by the pleadings or the Rule 4 documentation (which shall be deemed part of the pleadings for this purpose), it may be admitted within the proper scope of the appeal, provided, however, that the objecting party may be granted a continuance if necessary to enable him to meet such evidence.

(i) *Rule 8, Hearing—election.* (1) Upon receipt of respondent's answer or the notice referred to in the last sentence of Rule 6(b), appellant shall advise the Board whether he desires a hearing, as prescribed in Rules 17 through 25, or whether in the alternative he elects to submit his case on the record without a hearing, as prescribed in Rule 11.

RULES AND REGULATIONS

(2) In appropriate cases, the appellant shall also elect whether he desires the optional accelerated procedure prescribed in Rule 12.

(j) *Rule 9, Pre-hearing briefs.* Based on an examination of the documentation described in Rule 4, the pleadings and a determination of whether the arguments and authorities addressed to the issues are adequately set forth therein, the Board may in its discretion require the parties to submit pre-hearing briefs in any case in which a hearing has been elected pursuant to Rule 8. In the absence of a Board requirement therefor, either party may in its discretion, and upon appropriate and sufficient notice to the other party, furnish a pre-hearing brief to the Board. In any case where a pre-hearing brief is submitted, it shall be furnished so as to be received by the Board at least 15 days prior to the date set for hearing, and a copy shall simultaneously be furnished to the other party as previously arranged.

(k) *Rule 10, Pre-hearing or pre-submission conference.* (1) When the case is to be submitted pursuant to Rule 11, or heard pursuant to Rules 17 through 25, the Board may, upon its own initiative or upon the application of either party, call upon the parties to appear before an Administrative Judge of the Board for a conference to consider:

(i) The simplification or clarification of the issues;

(ii) The possibility of obtaining stipulations, admissions, agreements on documents, understandings on matters already of record or similar agreements which will avoid unnecessary proof;

(iii) The limitation of the number of expert witnesses, or avoidance of similar cumulative evidence, if the case is to be heard;

(iv) The possibility of agreement disposing of all or any of the issues in dispute;

(v) Such other matters as may aid in the disposition of the appeal.

(2) The results of the conference shall be reduced to writing by the Administrative Judge in the presence of the parties, and this writing shall thereafter constitute part of the record.

(l) *Rule 11, Submission without a hearing.* Although both parties are entitled to a hearing under these rules, either party may elect to waive a hearing and to submit his case upon the Board record as settled pursuant to Rule 13. Such an election by one party shall not preclude the other party from requesting and obtaining a hearing. Affidavits, depositions, answers to interrogatories and stipulations may be employed to supplement other documentary evidence in the Board record. The Board may permit such submission to be supplemented by oral arguments, transcribed if requested, and by briefs arranged in accordance with Rule 23.

(m) *Rule 12, Optional accelerated procedure.* (1) In appeals involving \$25,000 or less the appellant may elect to have the appeal processed under this rule. The election may be made in the notice of appeal, the complaint or by

separate correspondence. In the event of such election the case will be assigned to a single Administrative Judge who will make every effort to render his decision within 30 days of the settlement of the record and without regard to the place of the appeal on the docket. To assist in expediting decisions the parties should consider waiving pleadings and submitting the case on the record.

(2) In cases involving \$5,000 or less where there is a hearing the presiding Administrative Judge may in his discretion at the conclusion of the hearing and after such oral argument as he deems appropriate render oral summary findings of fact, conclusions and a decision on the appeal. The Board will subsequently furnish the parties a typed copy of the decision for record and payment purposes and to establish the date on which the period for filing a motion for reconsideration under Rule 29 commences.

(3) Except as herein modified, these rules otherwise apply in all respects.

(n) *Rule 13, Settling the record.* (1) The record upon which a Board decision is rendered shall consist of the pleadings, the appeal file described in Rule 4, pre-hearing orders, memoranda of pre-hearing conferences and all evidence admitted by the Board both documentary and oral as appearing in the transcript. The record shall at all reasonable times be available for inspection by the parties at the office of the Board.

(2) A case submitted on the record pursuant to Rule 11 shall be ready for decision when the parties are so notified by the Board. A case which is heard shall be ready for decision upon receipt of the transcript or upon receipt of the briefs when briefs are to be submitted.

(3) The Board may in any case require either party, with appropriate notice to the other party, to submit additional evidence on any matter relevant to the appeal. Except as the Board may otherwise order in its discretion, no proof shall be received in evidence after completion of an oral hearing or after notification by the Board that the case is ready for decision in cases submitted on the record.

(o) *Rule 14, Discovery—depositions—* (1) *General policy.* Parties may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in the appeal. The parties are encouraged to engage in voluntary discovery procedures.

(2) *When permitted.* The Board may, upon timely motion filed by a party after the answer has been filed, order the taking of the testimony of any person by deposition upon oral examination or by written questions for the purpose of discovery or for use as evidence or for both.

(3) *Before who taken—time and place.* Depositions shall be taken before a person authorized to administer oaths at the place of examination. The time, place and manner of taking depositions shall be as mutually agreed by the parties or as set forth in the order of the Board.

(4) *Protective orders.* The Board may in connection with the taking of any deposition make any order which justice requires to protect a party from annoyance, embarrassment, oppression or undue burden or expense.

(5) *Use as evidence.* No testimony taken by deposition shall be considered as part of the evidence in the hearing of an appeal until it is offered and received as evidence at the hearing. It will not ordinarily be received in evidence if the deponent is present and can testify personally at the hearing. In such cases, however, the deposition may be used to contradict or impeach testimony of the witness given at the hearing. In cases submitted on the record the Board may in its discretion receive depositions as evidence.

(6) *Expenses.* Each party shall bear its own expenses associated with taking of any deposition.

(p) *Rule 15, Interrogatories; Inspection of documents; Admission of Facts.*

(1) The Board may upon a timely motion filed by either party after the filing of the answer permit a party to serve written interrogatories upon the opposing party, order a party to produce and permit inspection and copying or photographing of designated documents or permit the service on a party of a request for the admission of facts. The Board in its order shall establish the date for responding to the motion.

(2) The Board may issue protective orders as in the case of depositions.

(q) *Rule 16, Service of papers.* Service of papers in all proceedings pending before the Board may be made personally, or by mailing the same in a sealed envelope, registered, or certified, postage prepaid, addressed to the party upon whom service shall be made and the date of delivery as shown by return receipt shall be the date of service. Waiver of the service of any papers may be noted thereon or on a copy thereof or on a separate paper, signed by the parties and filed with the Board.

(r) *Rule 17, Hearings—Where and when held.* Hearings will ordinarily be held in Washington, D.C., except that, upon request reasonably made and upon good cause shown, the Board may in its discretion set the hearing at another location. Hearings will be scheduled at the discretion of the Board with due consideration to the regular order of appeals and other pertinent factors. On request or motion by either party and upon good cause shown, the Board may in its discretion advance a hearing.

(s) *Rule 18, Notice of hearings.* The parties shall be given at least 15 days notice of the time and place set for hearings. In scheduling hearings, the Board will give due regard to the desires of the parties, and to the requirement for just and inexpensive determination of appeals without unnecessary delay. Notices of hearings shall be promptly acknowledged by the parties.

(t) *Rule 19, Unexcused absence of a party.* The unexcused absence of a party at the time and place set for hearing will not be occasion for delay. In the event of

such absence, the hearing will proceed and the case will be regarded as submitted by the absent party as provided in Rule 11.

(u) **Rule 20, Nature of hearings.** Hearings shall be as informal as may be reasonable and appropriate under the circumstances. Appellant and respondent may offer at a hearing on the merits such relevant evidence as they deem appropriate and as would be admissible under the generally accepted rules of evidence applied in the courts of the United States in nonjury trials, subject, however, to the sound discretion of the presiding Administrative Judge in supervising the extent and manner of presentation of such evidence. In general, admissibility will hinge on relevancy and materiality. Letters or copies thereof, affidavits and other evidence not ordinarily admissible under the generally accepted rules of evidence may be admitted in the discretion of the presiding Administrative Judge. The weight to be attached to evidence presented in any particular form will be within the discretion of the Board, taking into consideration all the circumstances of the particular case. Stipulations of fact agreed upon by the parties may be regarded and used as evidence at the hearing. The parties may stipulate the testimony that would be given by a witness if the witness were present. The Board may in any case require evidence in addition to that offered by the parties.

(v) **Rule 21, Examination of witnesses.** Witnesses before the Board will be examined orally under oath or affirmation, unless the facts are stipulated or the presiding Administrative Judge shall otherwise order. If the testimony of a witness is not given under oath the Board may, if it seems expedient, warn the witness that his statements may be subject to the provisions of Title 18, United States Code, sections 287 and 1001 and any other provisions of law imposing penalties for knowingly making false representations in connection with claims against the United States or in any matter within the jurisdiction of any department or agency thereof.

(w) **Rule 22, Copies of papers.** When books, records, papers or documents have been received in evidence, a true copy thereof or of such part thereof as may be material or relevant may be substituted therefor, during the hearing or at the conclusion thereof.

(x) **Rule 23, Post hearing briefs—(1) General.** Briefs must be compact, concise, logically arranged and free from burdensome, irrelevant, immaterial and scandalous matter. Briefs not complying with this rule may be disregarded by the Board.

(2) **Time of submittal.** Briefs, including reply briefs, shall be submitted at such times and upon such terms as may be agreed to by the parties and the presiding Administrative Judge at the conclusion of the hearing.

(3) **Length of briefs.** Except by permission of the Board on motion, principal briefs shall not exceed 100 8½" by 11" pages typewritten double space exclusive of any table of contents and table of

statutes, regulations and cases cited. Reply briefs shall not exceed 20 such pages.

(y) **Rule 24, Transcript of proceedings.** Testimony and argument at hearings shall be reported verbatim, unless the Board otherwise orders. Transcripts of the proceedings shall be supplied to the parties at such rates as may be fixed by contract between the Board and the reporter. If the proceedings are reported by an employee of the Government, the appellant may receive transcripts upon payment to the Government at the same rates as those set by contract between the Board and the independent reporter.

(z) **Rule 25, Withdrawal of exhibits.** After a decision has become final the Board may, upon request and after notice to the other party, in its discretion permit the withdrawal of original exhibits, or any part thereof, by the party entitled thereto. The substitution of true copies of exhibits or any part thereof may be required by the Board in its discretion as a condition of granting permission for such withdrawal.

(aa) **Rule 26, Representation—The appellant.** An individual appellant may appear before the Board in person, a corporation by an officer thereof, a partnership or joint venture by a member thereof, or any of these by an attorney at law duly licensed in any state, Commonwealth, Territory or in the District of Columbia.

(bb) **Rule 27, Representation—The respondent.** Government counsel shall be designated to represent the interests of the Government before the Board. They shall file notice of appearance with the Board, and notice thereof will be given appellant or his attorney in the form specified by the Board from time to time. Whenever at any time it appears that appellant and Government counsel are in agreement as to disposition of the controversy, the Board may suspend further processing of the appeal in order to permit reconsideration by the contracting officer: *Provided, however,* That if the Board is advised thereafter by either party that the controversy has not been disposed of by agreement, the case shall be restored to the Board's calendar without loss of position.

(cc) **Rule 28, Decisions.** Decisions of the Board will be made in writing and authenticated copies thereof will be forwarded simultaneously to both parties. The rules of the Board and all final orders and decisions (except those required for good cause to be held confidential and not cited as precedents) shall be open for public inspection at the offices of the Board in Washington, D.C.

(dd) **Rule 29, Motions for Reconsideration.** A motion for reconsideration, if filed by either party, shall set forth specifically the ground or grounds relied upon to sustain the motion, and shall be filed within 30 days from the date of the receipt of a copy of the decision of the Board by the party filing the motion.

(ee) **Rule 30, Dismissal without prejudice.** In certain cases, appeals docketed before the Board are required to be placed

in a suspense status and the Board is unable to proceed with disposition thereof for reasons not within the control of the Board. In any such case where the suspension has continued, or it appears that it will continue, for an inordinate length of time, the Board may in its discretion dismiss such appeals from its docket without prejudice to their restoration when the cause of suspension has been removed.

(ff) **Rule 31, Dismissal for failure to prosecute.** Whenever a record discloses the failure of the appellant to file documents required by these rules, respond to notice or correspondence from the Board, comply with orders of the Board or otherwise to indicate an intention to continue the prosecution of an appeal filed, the Board may issue an order requiring appellant to show cause within thirty days why the appeal should not be dismissed for lack of prosecution. If the appellant shall fail to show such cause, the appeal may be dismissed with prejudice.

(gg) **Rule 32, Ex Parte communications.** No Administrative Judge or member of the Board's staff shall entertain, nor shall any person directly or indirectly involved in an appeal submit to the Board or the Board's staff, off the record, any evidence, explanation, analysis or advice, whether written or oral, regarding any matter at issue in an appeal. This provision does not apply to consultation among Board members nor to ex parte communications concerning the Board's administrative functions or procedures.

(hh) **Rule 33, Effective Date and Applicability.** These revised rules shall take effect on January 14, 1975. They govern all proceedings in appeals after they take effect and also all further proceedings in appeals then pending, except to the extent that in the opinion of the Board, their application in a particular appeal pending when the Rules take effect would not be feasible or would work an injustice, in which event the former procedure applies.

§ 210.5 Rules of the Corps of Engineers Board of Contract Appeals, Office of the Chief Engineers [Revoked].

[Regs., January 7, 1975, DAEN] (Secs. 2301-2314, 3012, 70A Stat. 127-133, 157; 10 U.S.C. 2301-2314, 3012).

[FR Doc.75-1082 Filed 1-13-75; 8:45 am]

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER C—AIR PROGRAMS

[FRL 320-1]

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Suspension of Effectiveness of Parking Management Regulations Pending Promulgation of Amendments

Between November 6 and December 12, 1973, the Environmental Protection Agency promulgated or approved transportation control plans including parking management regulations for certain major urban areas requiring

such plans for the attainment and maintenance of the National Ambient Air Quality Standards for photochemical oxidants and carbon monoxide. These regulations are applicable to new or modified parking facilities for which no general construction contract has been entered prior to June 30, 1975. 39 FR 36870 (October 15, 1974).

On August 22, 1974, EPA proposed amendments to the parking management regulations in effect in the following areas: (39 FR 30440)

Alaska: Fairbanks Area

Arizona:

Phoenix Area

Tucson Area

California:

Fresno and San Joaquin Valley Area

Los Angeles Area

Sacramento Valley Area

San Diego Area

San Francisco Area

District of Columbia Interstate Area:

Washington, D.C.

Maryland Suburbs

Virginia Suburbs

Maryland:

Baltimore Area (Suburbs of D.C. listed under D.C. Interstate)

Massachusetts: Boston Area

New Jersey:

Suburbs of New York City

New Jersey Suburbs of Philadelphia (Camden, Trenton)

Pennsylvania:

Philadelphia Area

Pittsburgh Area

Texas: Houston

Virginia: (Suburbs of D.C. listed under D.C. Interstate)

The August 22, 1974, notice of proposed rulemaking involving amendments to the parking management regulations for Houston-Galveston was subsequently withdrawn. 39 FR 37212 (October 18, 1974).

The purpose of the proposed amendments was to clarify certain requirements and procedures in the parking management regulations and to provide developers of parking facilities subject to pre-construction review several alternative methods of demonstrating that the facility is consistent with the control strategy to reduce areawide VMT and will not cause or exacerbate a violation of the carbon monoxide standards. 39 FR at 30441.

Because the parking management regulations were then applicable to facilities for which general construction contracts were executed after January 1, 1975, EPA believed it necessary to continue the unamended regulations in effect so that developers could proceed with applications for permits under the existing regulations if they so desired. Since that time, EPA has deferred the date at which parking facilities become subject to review until June 30, 1975. In addition, it has become apparent that the developers affected by the regulations have not chosen to submit applications for review under the existing regulations, preferring to wait until the amendments are promulgated. Although EPA has held workshops on the application procedures, no applications for permits have been received.

Since the applicability date of the parking management regulations has been extended and the regulated parties have elected to wait until the more flexible amended regulations are promulgated, there is no longer any reason to leave the unamended regulations in effect. In addition, the existence of promulgated regulations for which significant amendments have been proposed has led to requests for stays of the existing regulations and has made the process of orderly judicial review of the regulations more difficult for both the regulated parties and the government.

For these reasons, EPA finds that there is good cause to suspend the effectiveness of the parking management regulations to be amended by the August 22, 1974 proposal, including the applicability date, pending the promulgation of the amendments. EPA expects to promulgate the amendments within the next 90 days. The suspension will not affect the final rulemaking procedures presently being followed by the Agency on this subject and will end upon promulgation of the amendments proposed on August 22, 1974. This suspension shall be effective on January 14, 1975.

(Secs. 110(e), 301(a), Clean Air Act, 42 U.S.C. 1857c-5(c) and 1857g)

Dated: January 7, 1975.

RUSSELL E. TRAIN,
Administrator.

In Part 52 of Chapter I, Title 40, of the Code of Federal Regulations, the provisions of the following sections are suspended indefinitely pending the promulgation of amendments:

1. Subpart C—Alaska, § 52.86;
2. Subpart D—Arizona, § 52.139;
3. Subpart F—California, § 52.251;
4. Subpart J—District of Columbia, § 52.493;
5. Subpart V—Maryland, § 52.1103 and § 52.1111;
6. Subpart W—Massachusetts, paragraph (d) of § 52.1135;
7. Subpart FF—New Jersey, § 52.1588;
8. Subpart NN—Pennsylvania, § 52.2040; and
9. Subpart VV—Virginia, § 52.2443.

[FR Doc.75-1071 Filed 1-13-75; 9:45 am]

SUBCHAPTER E—PESTICIDE PROGRAMS

[FRL 320-8]

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Methidathion

Two petitions (PPs 4F1512 and 4F1522) were filed (39 FR. 26479, 26929) by CIBA-GEIGY Corp., Post Office Box 11422, Greensboro, NC 27409, in accordance with provisions of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a), proposing establishment of tolerances (40 CFR Part 180) for residues of the insecticide methidathion (O,O-dimethyl phosphorodithioate, S-ester with 4-(mercaptomethyl)-2-methoxy - " - 1,3,4-

thiadiazolin-5-one) in or on the raw agricultural commodities sorghum forage and fodder at 2 parts per million and sorghum grain at 0.2 part per million. (PP 4F1512) and peaches, pecans, and walnuts at 0.05 part per million (negligible residue) (PP 4F1522).

Based on consideration given the data submitted in the petition and other relevant material, it is concluded that:

1. The insecticide is useful for the purpose for which the tolerances are being established.

2. There is no reasonable expectation of residues in eggs, meat, milk, or poultry and § 180.6(a)(3) applies.

3. The tolerances established by this order will protect the public health.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)), the authority transferred to the Administrator of the Environmental Protection Agency (35 FR 15623), and the authority delegated by the Administrator to the Deputy Assistant Administrator for Pesticide Programs (39 FR 18805), § 180.298 is amended by revising the paragraphs "2 parts per million * * *" and "0.2 part per million * * *" and by adding the new paragraph "0.5 part per million * * *" to the end of the section, as follows:

§ 180.298 Methidathion; tolerances for residues.

2 parts per million in or on grapefruit, oranges, and sorghum fodder and forage.

0.2 part per million in or on cottonseed, potatoes, and sorghum grain.

0.05 part per million (negligible residue) in or on peaches, pecans, and walnuts.

Any person who will be adversely affected by the foregoing order may at any time on or before February 13, 1975, file with the Hearing Clerk, Environmental Protection Agency, Room 1019E, 4th & M Streets, S.W., Waterside Mall, Washington, D.C. 20460, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective January 14, 1975.

(Sec. 408(d)(2), 68 Stat. 512 (21 U.S.C. 346a(d)(2)))

Dated: January 9, 1975.

EDWIN L. JOHNSON,
Deputy Assistant Administrator
for Pesticide Programs.

[FR Doc.75-1208 Filed 1-13-75; 8:45 am]

Title 41—Public Contracts and Property Management

CHAPTER 9—ATOMIC ENERGY COMMISSION

MISCELLANEOUS AMENDMENTS

The revisions to AECPR 9-16.5002-8 and 9-16.5002-9 are being made in order to delete Article B-VI—Fellowships and Article B-3—Stipends and Fellowships, respectively, from the standard contract outlines. This action is being taken in view of the omission from the Commission's FY 1974 Appropriations Act (P.L. 93-97) of the language previously contained in Commission appropriation acts (FY's 1950-1973) with respect to the need for a loyalty check of fellowship applicants. The remaining revisions are being made in order to correct and update AECPR provisions requiring change due to a typographical error and for the purpose of bringing them into accord with FPR and organizational changes.

PART 9-7—CONTRACT CLAUSES

Subpart 9-7.50—Use of Standard Clauses

1. In Subpart 9-7.50, Use of Standard Clauses, § 9-7.5006-57, *Limitation of price and contractor performance (multiyear contracts)*, paragraph (d) is revised as follows:

§ 9-7.5006-57 *Limitation of price and contractor performance (multiyear contracts).*

(d) In the event of termination pursuant to the clause entitled "Termination for convenience of the Government," the terms "total contract price" and "work under the contract" as used in that clause refer to the amount obligated for performance of this contract as provided in this clause plus the applicable amount, if any, established as the cancellation ceiling, and to the work under the year for which funds have been obligated. In the event of termination for default, the Government's rights under this contract shall apply to the entire multiyear requirements.

PART 9-12—LABOR

Subpart 9-12.8—Equal Opportunity in Employment

2. In Subpart 9-12.8, Equal Opportunity in Employment, § 9-12.805-1, *Duties of Agencies*, paragraph (a) is revised as follows:

§ 9-12.805-1 *Duties of agencies.*

(a) The Director, Office of Equal Opportunity, is the AEC Contract Compliance Officer. The Contract Compliance Officer has designated certain Deputy Contract Compliance Officers who have responsibilities, under the Contract Compliance Officer, and within designated geographic areas, for privately owned facilities of Federal contractors assigned to AEC and for privately financed construction projects subject to the Equal Opportunity clause.

3. In Subpart 9-12.8, Equal Opportunity in Employment, § 9-12.805-51, *Pre-*

award contract actions—nonexempt contracts, paragraph (b) (2) is revised as follows:

§ 9-12.805-51 *Preaward contract actions—nonexempt contracts.*

(b) *Construction contracts* * * *
(2) *Other nonexempt construction contracts.* (i) Prior to the award, of construction contracts covered in this paragraph, the Contracting Officer shall determine, in accordance with FPR 1-1.1203-1(e), that the prospective contractor appears to be able to conform to the requirements of the Equal Opportunity clause.

PART 9-16—PROCUREMENT FORMS

Subpart 9-16.50—Contract Outlines

4. In Subpart 9-16.50, Contract Outlines, § 9-16.5002-8, *Outline of special research support agreement with educational institutions*, Article B-VI—Fellowships, is deleted and reserved as follows:

§ 9-16.5002-8 *Outline of special research support agreement with educational institutions.*

Article B-VI [Reserved]

5. In Subpart 9-16.50, Contract Outlines, § 9-16.5002-9, *Outline of cost-type contract for research and development with educational institutions*, Article B-3—Stipends and Fellowships, is deleted and reserved as follows:

§ 9-16.5002-9 *Outline of cost-type contract for research and development with educational institutions.*

Article B-3 [Reserved]

(Sec. 161, Atomic Energy Act of 1954, as amended, 68 Stat. 948 (42 U.S.C. 2201); sec. 205, Federal Property and Administrative Services Act of 1949, as amended, 63 Stat. 390 (40 U.S.C. 486))

Effective date. This amendment is effective on January 14, 1975.

Dated at Germantown, Maryland, this 24th day of December, 1974.

For the U.S. Atomic Energy Commission.

JOSEPH L. SMITH,
Director,
Division of Contracts.

[FR Doc. 75-1179 Filed 1-13-75; 8:45 am]

CHAPTER 101—FEDERAL PROPERTY MANAGEMENT REGULATIONS

SUBCHAPTER D—PUBLIC BUILDINGS AND SPACE

[FPMR Amdt. D-49]

PART 101-18—ACQUISITION OF REAL PROPERTY

Subpart 101-18.1 Acquisition by Lease
LEASE OF AIRPORT OFFICE SPACE

Section 101-18.104 is amended to change the authority of the Federal

Aviation Administration for leasing office space at airports.

Section 101-18.104-1 (1) (2) is revised to read as follows:

§ 101-18.104-1 *List of special purpose space.*

(1) Department of Transportation. * * *

(2) Federal Aviation Administration. The Aeronautical Center at Oklahoma City, Oklahoma, air route traffic control centers, garage space held under service contracts, land at airports, and not more than 10,000 square feet of space at airports that is used predominately as general purpose office space in buildings under the jurisdiction of public or private airport authorities.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

Effective date. This regulation is effective on January 14, 1975.

Dated: January 3, 1975.

ARTHUR F. SAMPSON,
Administrator of General Services.

[FR Doc. 75-1084 Filed 1-13-75; 8:45 am]

Title 49—Transportation

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[S.O. 1206]

PART 1033—CAR SERVICE

Burlington Northern Inc.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 7th day of January, 1975.

It appearing, that the Burlington Northern Inc., (BN), is unable to operate over its line between Kenesaw, Nebraska, and Kearney, Nebraska, a distance of approximately 24.3 miles, because of track conditions; that BN operations can be accomplished by use of tracks of the Union Pacific Railroad Company (UP) between Hastings, Nebraska, and Kearney, Nebraska; that the UP has consented to the use of such tracks by the BN; that the operation by the BN over the aforementioned tracks of the UP is necessary in the interest of the public and the commerce of the people pending disposition by the Commission of the concurrent applications of the BN in Docket AB 6 Sub 28, requesting authority to abandon its line between Kenesaw and Kearney, but excluding both points, and in Docket FD 27785 seeking authority to operate over tracks of the UP between Hastings and Kearney; that notice and public procedure herein are impracticable and contrary to the public interest; and that good cause exists for making this order effective upon less than thirty days' notice.

It is ordered, That:

§ 1033.1206 Service Order No. 1206.

(a) *Burlington Northern Inc., authorized to operate over tracks of Union Pacific Railroad Company.* The Burlington

Northern Inc., (BN) be, and it is hereby, authorized to operate over tracks of the Union Pacific Railroad Company (UP), between UP (St. Joseph & Grand Island) milepost 226.00 at Hastings, Nebraska, and UP (Nebraska Division) milepost 190.51 at Kearney, Nebraska, a distance of 43.95 miles.

(b) *Application.* The provisions of this order shall apply to intrastate, interstate, and foreign traffic.

(c) *Rates applicable.* Inasmuch as this operation by the BN over tracks of the UP is deemed to be due to carrier's disability, the rates applicable to traffic moved by the BN over the tracks of the UP shall be the rates which were appli-

cable on the shipments at the time of shipment as originally routed.

(d) *Effective date.* This order shall become effective at 11:59 p.m., January 9, 1975.

(e) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., July 31, 1975, unless otherwise modified, changed, or suspended by order of this Commission.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies Secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2))

It is further ordered, That copies of this order shall be served upon the As-

sociation of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL]

ROBERT L. OSWALD,
Secretary.

[FR Doc.75-1199 Filed 1-13-75;8:45 am]

proposed rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 981]

ALMONDS GROWN IN CALIFORNIA

Proposed Suspension of Provisions

Notice is hereby given of a proposal to suspend the operation of subparagraphs (5) and (7) of § 981.441(d) of the administrative rules and regulations (Subpart—Administrative Rules and Regulations; 7 CFR 981.441-981.482; 39 FR 23239; 39258) for the 1974-75 crop year. That crop year ends June 30, 1975.

The subpart is operative pursuant to the marketing agreement, as amended, and Order No. 981, as amended (7 CFR Part 981), regulating the handling of almonds grown in California hereinafter referred to collectively as the "order". The order is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The proposal was unanimously recommended by the Almond Control Board.

Section 981.441(d) (5) allows a handler credit for his paid media advertising that promotes almonds and almond products through his own retail store. The credit, however, is limited to the percentage which his sales of almonds and almond products were to the total sales through the retail store in the previous crop year. Subparagraph (5) has been operative since July 1, 1974 (39 FR 23239). It now appears that the subparagraph will sharply reduce the credits some handlers formerly received for promoting almonds and almond products sold through their retail stores far more than anticipated at the time the regulation was made effective, and therefore may serve to reduce local promotions of almonds and almond products. Any reduction in the number of these promotions would be inconsistent with the intent of subparagraph (5). The Control Board has indicated that a thorough review of this matter is necessary before any changes in the provisions of subparagraph (5) can be proposed.

Section 981.441(d) (7) also has been operative since July 1, 1974. It allows a handler credit for his paid media advertising that promotes almonds and almond products through the handler's mail order offer which also mentions the handler's retail store selling almonds and almond products and the handler's catalog. Credit for that promotion expense is based, in part, on the percentage calculated for the handler pursuant to subparagraph (5). Since paid media advertising under paragraph (7) must mention the handler's retail store selling almonds and almond products, and since suspension of subparagraph (5) affects the

method of computing the credit allowable pursuant to subparagraph (7), it is also proposed that subparagraph (7) be suspended for the 1974-75 crop year.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposal should file the same in quadruplicate with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, to be received not later than January 29, 1975. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during official hours of business (7 CFR 1.27(b)).

The proposal is to suspend the operation of subparagraphs (5) and (7) of § 981.441(d) of the administrative rules and regulations (Subpart—Administrative Rules and Regulations; 7 CFR 981.441-981.482; 39 FR 23239; 39258) for the 1974-75 crop year.

Dated: January 9, 1975.

CHARLES R. BRADER,
Acting Director,
Fruit and Vegetable Division.

[FR Doc. 75-1190 Filed 1-13-75; 8:45 am]

[7 CFR Parts 1004, 1001, 1002, 1006, 1007, 1011, 1012, 1013, 1015, 1030, 1032, 1033, 1036, 1040, 1044, 1046, 1049, 1050, 1060, 1061, 1062, 1063, 1064, 1065, 1068, 1069, 1070, 1071, 1073, 1075, 1076, 1078, 1079, 1090, 1094, 1096, 1097, 1098, 1099, 1101, 1102, 1104, 1106, 1108, 1120, 1121, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1136, 1137, 1138, 1139]

[Docket Nos. AO-160-A50-R01, etc.]

MILK IN THE MIDDLE ATLANTIC, AND CERTAIN OTHER MARKETING AREAS

Notice of Hearing on Proposed Amendments to Tentative Marketing Agreements and Orders

7 CFR Part	Marketing area	Docket No.
1004	Middle Atlantic	AO-160-A50-R01.
1001	Boston Regional	AO-14-A55-R01.
1002	New York-New Jersey	AO-71-A67-R01.
1006	Upper Florida	AO-356-A13.
1007	Georgia	AO-366-A13.
1011	Appalachian	AO-251-A18.
1012	Tampa Bay	AO-347-A17.
1013	Southeastern Florida	AO-286-A25.
1015	Connecticut	AO-305-A33-R01.
1030	Chicago Regional	AO-361-A13.
1032	Southern Illinois	AO-313-A27.
1033	Ohio Valley	AO-166-A47.
1036	Eastern Ohio-Western Pennsylvania	AO-179-A41.
1040	Southern Michigan	AO-225-A30.
1044	Michigan Upper Peninsula	AO-299-A22.
1046	Louisville-Lexington-Evansville	AO-123-A43.

7 CFR Part	Marketing area	Docket No.
1049	Indiana	AO-319-A25.
1050	Central Illinois	AO-355-A18.
1060	Minnesota-North Dakota	AO-360-A19-R01.
1061	Southeastern Minnesota-Northern Iowa (Dairyland)	AO-367-A9-R01.
1062	St. Louis-Ozarks	AO-10-A49.
1063	Quad Cities-Dubuque	AO-105-A41.
1064	Greater Kansas City	AO-39-A48.
1066	Nebraska-Western Iowa	AO-86-A34.
1068	Minneapolis-St. Paul, Minnesota	AO-178-A33-R01.
1069	Duluth-Superior	AO-153-A22-R01.
1070	Cedar Rapids-Iowa City	AO-229-A30.
1071	Neosho Valley	AO-227-A31.
1073	Wichita	AO-173-A32.
1075	Black Hills, S. Dak.	AO-248-A17.
1076	Eastern South Dakota	AO-200-A21-R01.
1078	North Central Iowa	AO-272-A25.
1079	Des Moines, Iowa	AO-235-A30.
1090	Chattanooga, Tenn.	AO-266-A20.
1094	New Orleans, La.	AO-103-A37.
1096	Northern Louisiana	AO-257-A35.
1097	Memphis, Tenn.	AO-219-A31.
1098	Nashville, Tenn.	AO-184-A38.
1099	Paducah, Ky.	AO-183-A31.
1101	Knoxville, Tenn.	AO-195-A24.
1102	Fort Smith, Ark.	AO-237-A25.
1104	Red River Valley	AO-208-A25.
1106	Oklahoma Metropolitan	AO-210-A38.
1108	Central Arkansas	AO-243-A29.
1120	Lubbock-Plainview, Tex.	AO-328-A18.
1121	South Texas	AO-364-A2-R01.
1124	Oregon-Washington	AO-308-A8.
1125	Puget Sound, Wash.	AO-226-A28.
1126	North Texas	AO-231-A41-R01.
1127	San Antonio, Tex.	AO-232-A27-R01.
1128	Central West Texas	AO-238-A30-R01.
1129	Austin-Waco, Tex.	AO-256-A23-R01.
1130	Corpus Christi, Tex.	AO-259-A27-R01.
1131	Central Arizona	AO-271-A19.
1132	Texas Panhandle	AO-282-A37.
1133	Inland Empire	AO-275-A28.
1134	Western Colorado	AO-301-A16.
1136	Great Basin	AO-309-A22.
1137	Eastern Colorado	AO-326-A30.
1138	Rio Grande Valley	AO-335-A23.
1139	Lake Mead, Nev.	AO-374-A4.

Notice is hereby given of a public hearing to be held at the U.S. Department of Agriculture (South Building, Jefferson Auditorium) 14th and Independence Avenue, Washington, D.C., beginning at 9:30 a.m. on January 20, 1975, with respect to proposed amendments to the tentative marketing agreements and orders, regulating the handling of milk in the aforesaid marketing areas.

The hearing is called pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 *et seq.*), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900).

The hearing is being convened in less than 15 days from the publication of this notice in the FEDERAL REGISTER as the only means of providing due consideration at a public hearing to emergency marketing conditions relating to the proposed amendments contained herein.

The public hearing is for the purpose of receiving evidence with respect to the economic and emergency marketing conditions that relate to the proposals hereinafter set forth. Petitioners claim that

the action contemplated by the proposals is necessary to assure that the Class I prices of all Federal orders include immediately any price increases for manufacturing milk that may result from the higher support price for manufacturing milk which was announced by the Department effective January 4, 1975. The orders presently provide that the Class I prices of all orders for February 1975, for example, shall be based on the Minnesota-Wisconsin manufacturing milk price for December 1974. Thus, Federal order Class I prices could not reflect higher manufacturing milk prices resulting from the price support action until March 1975.

Evidence will be taken to determine whether emergency marketing conditions exist that would warrant omission of a recommended decision under the rules of practice and procedure (7 CFR Part 900.12(d)) with respect to proposal No. 1. Evidence also will be taken to determine whether, in the alternative, such emergency conditions would warrant the use of a temporary suspension procedure to effectuate the prompt implementation of any action found, on the basis of the testimony and evidence, to be imperative.

Numerous requests for this hearing have been received from organizations representing milk producers associated with Federal milk orders throughout the country, and may be summarized as follows:

ALL ORDERS

PROPOSAL NO. 1

Establish an appropriate basic formula price for determining the Class I prices for the months of February and March 1975 consistent with the adjustment made to the level of price supports announced by the Secretary of Agriculture effective on January 4, 1975.

PROPOSAL NO. 2

Make such changes as may be necessary to make the entire marketing agreements and the orders conform with any amendments thereto that may result from this hearing.

No proposal has received the approval of the Secretary except for purpose of hearing.

Copies of this notice of hearing and the orders may be procured from the market administrators of the respective orders, or from the Hearing Clerk, Room 112-A, Administration Building, United States Department of Agriculture, Washington, D.C. 20250 or may be there inspected.

Signed at Washington, D.C., on: January 10, 1975.

JOHN C. BLUM,
Associate Administrator.

[FR Doc. 75-1333 Filed 1-13-75; 8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[43 CFR Parts 3500, 3520]

COAL LEASES

Diligent Development and Continuous Operations—Extension of Time for Comments

The deadline for submission of public comments on rules proposed December 11, 1974, which would include in the coal lease regulations definitions of "logical mining unit," "diligent development" and "continuous operation" is hereby extended from January 10, 1975, to February 3, 1975.

Interested parties may submit written comments, suggestions, or objections with respect to the proposed regulations to the Director (210), Bureau of Land Management, Washington, D.C. 20240.

ROLAND G. ROBINSON, Jr.,
Deputy Assistant Secretary
of the Interior.

JANUARY 10, 1975.

[FR Doc. 75-1369 Filed 1-13-75; 9:30 am]

FARM CREDIT ADMINISTRATION

[12 CFR Part 602]

UNIFORM SCHEDULE OF FEES

Provision of Records

Notice is hereby given that the Farm Credit Administration has under consideration a proposed amendment of its regulations which would revise the uniform schedule of fees which may be charged persons who request records pursuant to the Freedom of Information Act. Prior to final adoption of this amendment, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing (10 copies) no later than February 14, 1975, to W. M. Harding, Governor, Farm Credit Administration, Washington, D.C. 20578. Copies of all communications received will be available for examination by interested persons in the office of the Director of Information, Farm Credit Administration.

Chapter VI of Title 12 of the Code of Federal Regulations is amended by revising § 602.265 to read as follows:

§ 602.265 Fees for provision of records.

(a) The Farm Credit Administration furnishes a member of the public free of charge a reasonable quantity of information that has been printed or otherwise reproduced for the purpose of making it available to the public without charge.

(b) The Farm Credit Administration furnishes a member of the public free of charge information that is requested and is not exempt from disclosure when the information is readily available and can be furnished by the Farm Credit Administration without charge.

(c) When a request for information which cannot be furnished under para-

graphs (a) and (b) of this section is received, fees shall be charged in accordance with the schedule contained in paragraph (d) of this section for services rendered in response to requests for Farm Credit Administration records under this Subpart B unless the Deputy Governor, Administration, determines that such charges or a portion thereof are not in the public interest because furnishing the information can be considered as primarily benefiting the general public. Fees shall not be charged where they would amount, in the aggregate, for a request or series of related requests, to less than \$5. Fees shall not be charged if the records requested are not found, or if all of the records located are withheld as exempt. However, if the time expended in processing the request is substantial, and if the requester has been notified of the estimated cost pursuant to paragraph (d) of this section and has been specifically advised that it cannot be determined in advance whether any records will be made available, fees may be charged.

(d) For the services listed below expended in locating or making available records or copies thereof, the following fees shall be charged: (1) *Copies*. For copies of documents (maximum of 10 copies will be supplied), \$1.10 per copy of each page.

(2) *Clerical searches*. For each one quarter hour spent by clerical personnel in excess of the first quarter hour in searching for and producing a requested record, including services to transport personnel to places of record storage, or records to the location of personnel for the purpose of search, \$1.50.

(3) *Certification*. For certification of true copies, each, \$1.

(4) *Attestation*. For attestation under the seal of the Administration, \$3.

(5) *Nonroutine, nonclerical searches*. Where a search cannot be performed by clerical personnel, for example, where the task of determining which records fall within a request and collecting them requires the time of professional or managerial personnel, and where the amount of time that must be expended in the search and collection of the requested records by such higher level personnel is substantial, charges for the search may be made at a rate in excess of the clerical rate, namely for each one quarter hour spent in excess of the first quarter hour by such higher level personnel in searching for a requested record, \$3.15.

(6) *Examination and related tasks in screening records*. No charge shall be made for time spent in resolving legal or policy issues affecting access to records of known contents. In addition, no charge shall be made for the time involved in examining records in connection with determining whether they are exempt from mandatory disclosure and should be withheld as a matter of sound policy.

(7) *Computerized records.* Fees for services in processing requests maintained in whole or part in computerized form shall be in accordance with this section so far as practicable. Services of personnel in the nature of a search shall be charged for at rates prescribed in paragraph (b) (5) of this section unless the level of personnel involved permits rates in accordance with paragraph (b) (2) of this section. A charge shall be made for the computer time involved, based upon the prevailing level of costs to the Farm Credit Administration and upon the particular types of computer and associated equipment and the amounts of time on such equipment that are utilized. A charge shall also be made for any substantial amounts of special supplies or materials used to contain, present, or make available the output of computers, based upon prevailing levels of costs to Farm Credit Administration and upon the type and amount of such supplies or materials that is used. Nothing in this paragraph shall be construed to entitle any person, as of right, to any services in connection with computerized records, other than services to which such person may be entitled under the provisions, not including this paragraph (b), of this Subpart B.

(e) Notice of anticipated fees in excess of \$25. Where it is anticipated that the fees chargeable under this section will amount to more than \$25, and the requester has not indicated in advance his willingness to pay fees as high as are anticipated, the requester shall be promptly notified of the amount of the anticipated fee or such portion thereof as can readily be estimated. When the anticipated fees exceed \$50, a deposit of 50 percent of the anticipated fees must be made within 5 business days of the Farm Credit Administration's notice to the requester. Unless the request specifically states that whatever cost is involved will be acceptable, or acceptable up to a specified limit, a request that is expected to involve fees in excess of \$25 will not be deemed to have been received for purposes of this Subpart B until the requester is notified of the anticipated cost and his agreement to bear it is received. The notice or request for an advance deposit shall extend an offer to the requester to confer with identified Farm Credit Administration personnel in an attempt to reformulate the request in a manner which will reduce the fees and meet the needs of the requester.

(f) *Form of payment.* Payment shall be made by check or money order payable to the Farm Credit Administration.

(Secs. 5.9, 5.10, 5.12, 5.18, 85 Stat. 619, 620, 621; Pub. L. 93-502 amending 5 U.S.C. 552, 88 Stat. 1561)

W. M. HARDING,
Governor,
Farm Credit Administration.

[FR Doc.75-1153 Filed 1-13-75;8:45 am]

NATIONAL CREDIT UNION ADMINISTRATION

[12 CFR Part 720]

SCHEDULE OF FEES

Document Search and Duplication

Notice is hereby given that the Administrator of the National Credit Union Administration, pursuant to the authority conferred by section 120, 73 Stat. 635, 12 U.S.C. 1766, and section 209, 84 Stat. 1014, 12 U.S.C. 1789, is proposing an amendment to Part 720 (12 CFR Part 720) by adding a new § 720.3-1, as set forth below, which establishes a uniform schedule of fees.

Amendments to the Freedom of Information Act enacted pursuant to Pub. L. 93-502 become effective on February 19, 1975. It will therefore be necessary for the Administrator to amend Part 720 in order to implement the provisions of that law.

The purpose of the amendment contained herein is to comply with the provision of Pub. L. 93-502 which requires each agency to promulgate regulations, pursuant to notice and receipt of public comment, specifying a uniform schedule of fees applicable to all constituent units of the agency. The designation of this amendment as § 720.3-1 is temporary and is subject to change pending the further required amendments to Part 720.

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed amendment to the Administrator, National Credit Union Administration, 2025 M St. NW., Washington, D.C. 20456. Comments received prior to February 13, 1975 will be considered before final action is taken on the proposal. Copies of all written comments received will be available for public inspection during normal business hours at the foregoing address.

HERMAN NICKERSON, Jr.,
Administrator.

JANUARY 9, 1975.

(Sec. 120, 73 Stat. 635 (12 U.S.C. 1766); sec. 209, 84 Stat. 1014 (12 U.S.C. 1789))

Part 720 of the Rules and Regulations relating to disclosure of official records and information is amended by adding a new § 720.3-1 to read as follows:

§ 720.3-1 Fee schedule for document search and duplication.

(a) A fee shall be assessed for the searching and processing of requested documents on the following basis:

Direct cost of: Clerical time, \$4.36 per hour; professional time, \$11.19 per hour; charge per page of material duplicated, \$.25.

Computer costs shall be assessed in accordance with a standard formula based on computer time required. A computer cost formula shall be furnished to the requester at the time the request is granted.

Actual cost of transportation of people or records if required to process the request.

(b) Estimates of fees shall be furnished to the requester prior to initiation of the search for requested material if it appears that the fee will exceed \$20 unless the request specifically states that whatever cost is involved will be assumed by the requester. Where advice as to the estimated fees is required, such advice shall be promptly forwarded to the requester upon physical receipt of the request. A request will not be deemed to have been received until the requester is advised that the estimated cost will exceed \$20 and the requester agrees to assume such cost. Requesters will be financially liable for any fees assessed up to \$20 without a preapproved estimate.

(c) If the estimated fees exceed \$100, a deposit of 20 per centum of such amount must be made within three days after the requester agrees to proceed with the request at the estimated cost.

(d) Fees shall be assessed even when no records or documents responsive to the request, or no records or documents not exempt from disclosure, are found.

(e) Fees may be waived if the Freedom of Information Officer in the appropriate National Credit Union Administration Information Center determines that disclosure of the information will be of general benefit to the public. Fees may also be waived if the cost of the search is minimal and is unproductive.

[FR Doc.75-1186 Filed 1-13-75;8:45 am]

NATIONAL LABOR RELATIONS BOARD

[29 CFR Part 103]

DOCUMENT SEARCH AND DUPLICATION

Schedule of Fees

Pursuant to its authority under section 6 of the National Labor Relations Act, as amended (49 Stat. 452; 29 U.S.C. Sec. 156), and in accordance with the requirements of section 552(a) (4) (A) of the Freedom of Information Act, as amended by Public Law 93-502, November 21, 1974, the National Labor Relations Board hereby gives notice of its intent to promulgate a rule to establish a uniform schedule of fees, and procedures for the assessment and collection of such fees, to provide for recovery of the direct costs of record search and duplication incurred in responding to requests for Agency records, made pursuant to section 552(a) (2) and (3) of the Freedom of Information Act, as amended by Public Law 93-502, November 21, 1974. The substance of the proposed rule is as follows:

Persons requesting records from this Agency shall be subject to a charge of fees for the direct cost of document search and duplication in accordance

with the following schedules, procedures, and conditions:

(a) Schedule of charges:

(1) For each one-quarter ($\frac{1}{4}$) hour or portion thereof of clerical time, \$1.10.

(2) For each one-quarter ($\frac{1}{4}$) hour or portion thereof of professional time, \$2.85.

(3) For each sheet of duplication (not to exceed $8\frac{1}{2} \times 4$ inches) of requested records, \$0.10.

(4) All other direct costs of search or duplication shall be charged to the requester in the same amount as incurred by the Agency.

(b) Each request for records shall contain a specific statement assuming financial liability, in full or to a specified maximum amount, for charges in accordance with subsection (a) above, which may be incurred by the Agency in responding to the request. In the event the anticipated charges exceed the maximum limit stated by the requester, or if the request contains no assumption of financial liability for charges, the requester shall be notified and afforded an opportunity to assume financial liability. The request for records shall not be deemed received for purposes of the applicable time limit for response until a written assumption of financial liability is received. When the anticipated charges exceed \$50, the requester, upon notification, shall deposit 50 percent of the anticipated charges with the Agency; the request shall not be deemed received for purposes of the applicable time limit for response until such deposit has been made.

(c) Charges may be imposed even though the search discloses no records responsive to the request, or none not exempt from disclosure. The imposition of charges may be waived for the convenience of the Agency, and will be reduced or waived where the Agency determines that furnishing the information can be considered as primarily benefitting the general public.

(d) The Agency may, by agreement with the requester, make arrangements with commercial firms for required services to be charged directly to the requester.

All persons who desire to submit written comments, views, or arguments for consideration by the Board in connection with the proposed rule should file 15 copies of the same, on or before February 13, 1975, with the Executive Secretary, National Labor Relations Board, Washington, D.C. 20570. Copies of such communications will be available for examination by interested persons during normal business hours in the Office of the Executive Secretary of the Board, Room 701, 1717 Pennsylvania Avenue, N.W., Washington, D.C.

Dated, Washington, D.C., January 9, 1975.

By direction of the Board.

JOHN C. TRUESDALE,
Executive Secretary.

EXPLANATORY STATEMENT

The proposed rule published herewith is designed to establish a uniform sched-

ule of fees and procedures for the assessment and collection of such fees, to provide for recovery by this Agency of the direct costs of record search and duplication incurred in responding to requests for Agency records and pursuant to section 552(a)(2) and (3) of the Freedom of Information Act, as amended by Public Law 93-502, November 21, 1974. The proposed rule has been prepared after consideration of this Agency's experience over the past 6 years in responding to requests from the public for information and records. The charges made will cover only those costs associated with a search for records and the duplication of records to be supplied in response to the request. Charges will not be made for time spent in examining requested records to determine whether or not an exemption pursuant to section 552(b) of the Administrative Procedure Act, 5 U.S.C. sec. 552(b), can or should be asserted, for time spent in deleting exempt matter to be withheld from records to be furnished, or for time spent in monitoring a requester's inspection of Agency records made available to him.

The charge for clerical time is based upon the cost to the Agency of salary and personal benefits for clerical personnel at the GS-5 level. The amount to be charged for professional time is based upon the cost to the Agency of the salary and personal benefits for a grade GS-13 professional employee. These grade levels represent the average level at which this work has been performed in recent years. The charge for duplication of each sheet of records to be duplicated in response to a request has been fixed at 10 cents to include a nominal allowance for the time involved in gaining access to the duplicating machine and assembling the duplicated work, as well as the actual costs to the Agency of the duplication process. Other direct costs of search or duplication which may be incurred by the Agency, including charges for the transportation or shipment of documents for examination and charges for computer services to search data processing records, will be assessed in the amount incurred.

Since under the statute a requester of records is financially liable for the payment of fees once the requested services have been performed, the proposed regulation provides that each request should contain a specific assumption of liability in order to insure that the requester is aware of that financial liability. If the requester wishes, he may set a limit on the financial liability that he will assume. In the event the anticipated charges exceed that limit, the Agency will inform the requester and provide him with an opportunity to assume the financial liability involved. In the event of a refusal to assume liability for an anticipated charge, the Agency will not be obligated to respond further to the request. To avoid placing the Agency in default of the time limit for response where the requester has not provided the

required assumption of financial liability, the proposed rule provides that the time period for response shall not begin until a written assumption of financial liability has been received by the Agency. A similar suspension of the time limit is provided when the Agency requests a deposit against anticipated charges expected to exceed \$50.

The proposed rule provides specific notice that charges for the search may be imposed even though the search discloses no records or no producible records. As permitted by section 552(a)(4)(A) of the Freedom of Information Act, charges will be reduced or waived where the Agency determines that the furnishing of information will primarily benefit the general public. The proposed rule also provides that the imposition of charges may be waived for the convenience of the Agency. This will permit the Agency to avoid the expenses of billing and collecting charges in small amounts, where the costs of the latter would be greater than the direct costs incurred in responding to the request.

The proposed rule provides that the Agency may, by agreement with the requester, make arrangements with commercial firms for required services to be billed directly to the requester. For example, where the volume of duplication in response to a request is so great that it cannot be readily performed within the Agency, the Agency may make arrangements with a commercial firm to have the duplicating services performed at the requester's expense and the requester billed directly. Also, any requests requiring computer services performed on data processing files will be done through arrangements with a commercial firm since this Agency has no computer facilities of its own.

[FR Doc.75-1184 Filed 1-13-75; 8:45 am]

SELECTIVE SERVICE SYSTEM

[2 CFR Part 200]

RECONCILIATION SERVICE REGULATIONS

Proposed Amendments

The Director of Selective Service, pursuant to Proclamation 4313, Executive Order 11804, and the Freedom of Information Act, 50 U.S.C. 552 as amended by Pub. L. 93-502, hereby gives public notice that consideration is being given to the following proposed amendment to the Reconciliation Service Regulations constituting a portion of Chapter II of Title 2 of the Code of Federal Regulations.

The proposed amendment, if made effective, would establish the criteria and procedures for the release of information in a returnee's file.

All persons who desire to submit views to the Director on the proposals should prepare them in writing and forward them to the Director, Selective Service System, Attn: GC, 1724 F Street NW., Washington, D.C. 20435. Comments received on or before February 13, 1975.

The proposed amendment follows:

Section 200.9 is added to read as follows:

§ 200.9 Availability and use of information pertaining to a returnee.

(a) Information contained in a returnee's file and in records pertaining to an identifiable returnee may be disclosed or furnished to or examined by, the following persons: (1) The returnee or any person having written authority dated and signed by the returnee: *Provided*, That whenever the time of the expiration of such authority is not specified therein, no information shall be disclosed, furnished, or examined under that authority after the expiration of a period of 1 year from its date.

(2) The legal representative of a deceased or incompetent returnee.

(3) All personnel of the Selective Service System while engaged in carrying out the functions of the Reconciliation Service Program.

(4) The Attorney General and his duly authorized representatives, including agents of the Federal Bureau of Investigation, whenever the returnee has been reported for failure to complete his reconciliation service in accord with his agreement with the Attorney General.

(5) Any other agency, official, or employee, or class or group of officials or employees of the United States upon written request in individual cases, but only when and to the extent specifically authorized in writing by the Director of Selective Service.

(b) No information shall be disclosed or furnished to, or examined by, any person under the provisions of this section, until such person has been properly identified as entitled to obtain such information.

(c) A copy of a returnee's file and the documents contained in such file will be furnished to an individual described in paragraph (a)(1) or (2) of this section upon payment of a fee of 25¢ per page for each page in the form of a money order payable to the Treasurer of the United States. A copy of other identifiable records or documents will be furnished to a person other than an individual described in paragraphs (a)(3), (4), or (5) of this section entitled to receive it upon payment of a fee of 25¢ per page in the form of a money order payable to the Treasurer of the United States. Search of records is made by compensated employees of the Selective Service System without charge.

(d) Whenever an employee receives a request for information or documents the disclosure of which is not clearly authorized by the provisions of this section that request will be immediately reported by telephone to the General Counsel, Selective Service System, for instructions as to its disposition.

(e) Complaints concerning possible abuse of discretion granted selective service employees under this section or failure to respond to inquiries shall be directed to the state director in the case

of state headquarters or local board employees and to the Director in the case of National Headquarters employees.

(f) A requester whose request for information or documents has not been satisfied may appeal to the Director of Selective Service, 1724 F Street, N.W., Washington, D.C. 20435.

Dated: January 8, 1975.

BYRON V. PEPITONE,
Director.

[FR Doc.75-1154 Filed 1-13-75;8:45 am]

[32 CFR Part 1608]

**REGISTRANT INFORMATION
DISCLOSURE**

Proposed Amendments

Pursuant to the Military Selective Service Act, as amended (50 U.S. Code App., sections 451 *et seq.*), § 1604.1 of Selective Service Regulations (32 CFR 1604.1), and Pub. L. 93-502, the Director of Selective Service hereby gives public notice that consideration is being given to the following proposed amendments to the Selective Service Regulations constituting a portion of Chapter XVI of Title 32 of the Code of Federal Regulations. These Regulations implement the Military Selective Service Act, as amended (50 U.S. Code App., sections 451 *et seq.*) and the Freedom of Information Act, 50 U.S.C. 552, as amended by Pub. L. 93-502.

The proposed revision of Part 1608 would eliminate the authority of the Director of Selective Service and the State Director of Selective Service to disclose information in a registrant's file to an official of any state or subdivision thereof and the authority of the Director of Selective Service to disclose information in a registrant's file to any person other than the officials listed; the addresses of State Directors of Selective Service would be eliminated; a charge for the search of records would be specifically prohibited; "not clearly authorized" disclosures of information could be made only upon advice of the General Counsel of the Selective Service System; and final agency action on an appeal from a denial of information would be taken by the Director of Selective Service. The present provisions of Part 1608 that are not changed in substance are rearranged for the purposes of increased clarity and convenience in use.

All persons who desire to submit views to the Director on the proposals should prepare them in writing and forward them to the Director, Selective Service System, Attn: GC, 1724 F Street NW., Washington, D.C. 20435. Comments received on or before February 13, 1975, will be considered.

The proposed amendments follow:

Part 1608—Public Information is amended to read as follows:

§ 1608.1 Public information policy.

The Selective Service System has a positive public information policy under which information is brought to the attention of the public. The Selective Serv-

ice System brings to the public, through news releases, pamphlets, educational material for distribution to high schools, and other documents, information concerning important events, and the functions of the Selective Service System.

§ 1608.2 Definitions.

When used in this part, the following words shall have the meaning ascribed to them as follows:

(a) "Disclose" shall mean an oral or written statement concerning any such record or information.

(b) "Furnish" shall mean providing in substance or verbatim a copy of any such record or information.

(c) "Examine" shall mean a visual inspection and examination of any such record or information at the office of the local board or appeal board as the case may be.

§ 1608.3 General policy on disclosure of information.

(a) It is the general policy of the Selective Service System to make information available to the public unless the disclosure thereof would constitute a clearly unwarranted invasion of personal privacy or is prohibited by law or Executive order or relates to internal memoranda, letters or other documents the disclosure of which would interfere with the functions of the Selective Service System.

(b) The records in a registrant's file and the information contained in such records shall be disclosed, furnished, or examined only in accord with the provisions of this part.

(c) Technical instructions pertaining to automatic data processing, memoranda, correspondence, opinions, data, staff studies, information received in confidence, and similar documentary material prepared for the purpose of internal communication within the Selective Service System or between the Selective Service System and other organizations or persons generally are not information available to the public.

(d) Lists of registrants may be furnished only in accordance with written instructions from the Director of Selective Service.

(e) The addresses of registrants are confidential information.

§ 1608.4 Availability and use of information in registrants' files.

(a) Information contained in records in a registrant's file and records pertaining to a named registrant may be disclosed or furnished to, or examined by, the following persons:

(1) The registrant, or any person having written authority dated and signed by the registrant: *Provided*, That whenever the time of the expiration of such authority is not specified therein, no information shall be disclosed, furnished, or examined under that authority after the expiration of a period of 1 year from its date.

(2) The legal representative of a deceased or incompetent registrant.

(3) All personnel of the Selective Service System while engaged in carrying out

the functions of the Selective Service System.

(4) A U.S. Attorney and his duly authorized representatives, including agents of the Federal Bureau of Investigation, whenever the registrant has been reported to the U.S. Attorney as a violator for prosecution for violating the Military Selective Service Act or the rules, regulations, or directions made pursuant thereto.

(5) Any other agency, official, or employee, or class or group of officials or employees of the United States upon written request in individual cases, but only when and to the extent specifically authorized in writing by the Director of Selective Service.

(b) No information shall be disclosed or furnished to, or examined by, any person under the provisions of this section, until such person has been properly identified as entitled to obtain such information.

(c) Persons described in paragraph (a) (1) may be furnished a copy of the registrant's file only in accord with the provisions of § 1608.11(d) or upon payment of fees prescribed in § 1608.11(b) (1). Persons described in paragraph (a) (2) may be furnished a copy of a registrant's file only upon payment of fees prescribed in § 1608.11(b) (1).

§ 1608.5 Waiver of confidential nature of information on registrants' files.

The making or filing by or on behalf of a registrant of a claim or action for damages against the Government or any person, based on acts in the performance of which the record of a registrant or any part thereof was compiled, or the institution of any action against the Government or any representative thereof by or on behalf of a registrant involving his classification, selection, or induction, shall constitute a waiver of the confidential nature of all selective service records of such registrant, and, in addition, all such records shall be produced in response to the subpoena or summons of the tribunal in which such claim or action is pending.

§ 1608.6 Subpoena of records.

(a) In the prosecution of a registrant or any other person for a violation of the Military Selective Service Act, the Selective Service Regulations, any orders or directions made pursuant to such act or regulations, or for perjury, all records of the registrant shall be produced in response to the subpoena or summons of the court in which such production or proceeding is pending. Any officer or employee of the Selective Service System who produces the records of a registrant in court shall be considered the custodian of such records for the purpose of this section.

(b) Except as provided in paragraph (a) of this section, no officer or employee of the Selective Service System shall produce a registrant's file, or any part thereof, or testify regarding any confidential

information contained therein, in response to the subpoena or summons of any court without the consent, in writing, of the registrant concerned, or of the Director of Selective Service.

(c) Whenever, under the provisions of this section, a registrant's file, or any part thereof, is produced as evidence in the proceedings of any court, such file shall remain in the personal custody of an official of the Selective Service System, and permission of the court be asked, after tender of the original file, to substitute a copy of the file with the court.

§ 1608.7 Available information.

(a) Upon request, current documents specifically identified as being printed for free distribution to the general public will be furnished without charge. Each individual requesting such documents shall be entitled to only one copy of each document.

(b) Copies of Selective Service Regulations (32 CFR Chapter XVI) and the Registrants Processing Manual are offered for sale by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

(c) The Registrants Processing Manual may be inspected at the office of any local board, the office of the State Director of Selective Service for any State or at the National Headquarters, Selective Service System.

(d) Each local board maintains a Classification Record (SSS Form 102) which contains the name, selective service number, and the current and past classifications for each person registered with that board. Information in this record will be supplied upon request.

(e) Any compensated employee of the Selective Service System may disclose to the former employer of a registrant who is serving in or who has been discharged from the Armed Forces whether the registrant has or has not been discharged and, if discharged, the date thereof, upon reasonable proof that the registrant left a position in the employ of the person requesting such information in order to be served in the Armed Forces.

(f) The names, position titles, grades, salaries, and duty stations of employees of the Selective Service System are public information.

(g) The names of local board members and the names and addresses of advisors to registrants will be posted in an area available to the public at each board office to which such personnel are assigned.

(h) Personal data concerning board members that relate to their legal qualifications for appointment and/or continuation in office are a matter of official record. Upon request, the executive secretary or clerk of a local board or appeal board will verify that a member of that board was legally qualified for appointment and for continuation in office without disclosing the personal data pertaining to such member without the member's consent.

§ 1608.8 Places where information may be obtained.

(a) Requests for information concerning a registrant shall be addressed to the local board where he is registered.

(b) Requests for information concerning the national administration of the Military Selective Service Act shall be addressed to the National Headquarters, Selective Service System, 1724 F Street NW., Washington, D.C. 20435.

(c) Requests for information concerning the administration of the Military Selective Service Act within a particular State shall be addressed to the State Director of Selective Service involved.

§ 1608.9 Rules governing the obtaining of information.

(a) A request for information under this part must be made orally or in writing during business hours at the appropriate selective service office. When information to be furnished is not readily available, the employee responsible for obtaining the information shall advise the requester how and where it may be obtained.

(b) Although the time period allowed for inspection of identifiable documents and registrants' files must be sufficient to allow hand copying, the activity should not interfere with the daily business activities of the selective service office. Accordingly, the selective service employee handling the request for information or inspection should arrange for inspection of selective service files and documents during specified hours of the business week.

(c) Any person entitled under the provisions of this part to examine any record or information shall be permitted to copy it by hand, to photograph it or to copy it by using portable copying equipment so long as the use of such equipment does not disrupt the normal operations of the office.

§ 1608.10 Identification of information requested.

(a) Any person who requests information under these regulations shall provide a reasonably specific description of the information sought so that it may be located without undue search or inquiry. Information that is not identified by a reasonably specific description is not an identifiable record, and the request for that information may be declined.

(b) If the description is insufficient, the employee processing the request will notify the requester and, to the extent possible, indicate the additional information required. Every reasonable effort shall be made to assist a requester in the identification and location of the record or records sought. Records will not be withheld merely because it is difficult to find them.

(c) When a request is received at an office not having charge of the records, it shall promptly forward the request to the proper office and notify the requester of the action taken.

§ 1608.11 Fees for search of records and copies of documents.

Fees for search of records and copies of documents are the following:

(a) Search of records is made by compensated employees of the Selective Service System without charge.

(b) The charge for copies of documents prepared on Selective Service System equipment is as follows:

(1) 25 cents per page for a copy of File Folder (SSS Form 101) and contents except as provided in paragraph (e) of this section.

(2) 25 cents per page for other identifiable records or documents.

(c) For copies of File Folder (SSS Form 101) or other identifiable records or documents reproduced by a private concern, the requester will assume the expense of copying. The Selective Service System employee's time to monitor the reproduction, computed from the time of his departure until his return to his post, will be charged by the Selective Service System to the requester at the rate of \$1 per quarter-hour after the first quarter-hour.

(d) Copies will not be released to any requester until these fees are paid in full by money order payable to the Treasurer of the United States.

(e) Where a registrant has been charged under the Military Selective Service Act and must defend himself in a criminal prosecution, or where a registrant submits to induction and thereafter brings habeas corpus proceedings to test the validity of his induction, the Selective Service System will furnish to him, or to any person he may designate, one copy of his selective service file free of charge.

§ 1608.12 Request for information not authorized to be disclosed.

Whenever an employee receives a request for information or documents the disclosure of which is not clearly authorized by the provisions of this part that request will be immediately reported by telephone to the General Counsel, Selective Service System for instruction as to its disposition.

§ 1608.13 Review of denials of requests for information.

(a) Complaints concerning possible abuse of discretion granted selective

service employees under this part or failure to respond to inquiries shall be directed to the state director in the case of state headquarters or local board employees and to the Director in the case of National Headquarters employees.

(b) A requester whose request for information or documents has not been satisfied may appeal to the Director of Selective Service, 1724 F Street NW., Washington, D.C. 20435.

§ 1603.14 Demands of courts or other authorities for records or information protected by these regulations.

No officer or employee of the Selective Service System will comply with a request, demand or order of a court or other authority to produce information the disclosure of which is prohibited or restricted by the provisions of this part without the prior approval of the Director of Selective Service.

Dated: January 8, 1975.

BYRON V. PEPITONE,
Director.

[FR Doc.75-1155 Filed 1-13-75;8:45 am]

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the officer to whom I have delegated relevant authority in the delegation.

Actions within the scope of this delegation and any redelegations hereunder heretofore taken by the officials designated in such delegation or redelegations are hereby ratified and confirmed.

This redelegation of authority shall be effective January 2, 1975.

Dated: January 2, 1975.

HUGH L. DWELLEY,
Acting Director,

Office of Contract Management.

[FR Doc. 75-1213 Filed 1-13-75; 8:45 am]

DEPARTMENT OF DEFENSE

Department of the Air Force

ARMY AND AIR FORCE EXCHANGE AND MOTION PICTURE SERVICES CIVILIAN ADVISORY COMMITTEE

Annual Report

JANUARY 8, 1975.

The Civilian Advisory Committee to the Board of Directors, Army and Air Force Exchange and Motion Picture Services, on December 31, 1974, filed its annual report for 1974 with the Library of Congress, pursuant to the requirements of section 13, Pub. L. 92-463, 86 Stat. 775 (5 U.S.C. App. I 13).

Individuals desiring to review the report may visit the Library of Congress, Exchange and Gift Division, Federal Advisory Committee Desk, Washington, D.C. 20540. Copies of the report and additional information may be obtained by telephoning 202-697-3336 or by writing to the Executive Secretary, Board of Directors, Army and Air Force Exchange and Motion Picture Services, Room 5E749 Pentagon, Washington, D.C. 20310.

STANLEY L. ROBERTS,
Colonel, USAF, Chief, Legislative Division, Office of The Judge Advocate General.

[FR Doc. 75-1102 Filed 1-13-75; 8:45 am]

Department of the Army

ALIAMANU MILITARY RESERVATION, OAHU, HAWAII

Filing of Draft Environmental Impact Statement

JANUARY 3, 1975.

In compliance with the National Environmental Policy Act of 1969, the Army is filing with the Council on Environmental Quality a Draft Environmental Impact Statement concerning the construction of 2700 military housing units in the Aliamanu Military Reservation, Oahu, Hawaii.

Copies of the statement have been forwarded to concerned Federal, State, and local agencies. Interested individuals may obtain copies from the Office of the U.S. Army Engineer Division, Pacific Ocean, ATTN: PODED-MP, Building 230, Fort Shafter, APO San Francisco 96558. In the Washington area, inspection copies can be seen in the Environmental Office, Assistant Chief of Engineers, Room

1E676, Pentagon Building, Washington, D.C. 20310. (Telephone: (202) 694-1163)

HENRY L. T. KOREN,
Deputy Under Secretary
of the Army.

[FR Doc. 75-1162 Filed 1-13-75; 8:45 am]

Department of the Navy

CHIEF OF NAVAL OPERATIONS EXECUTIVE PANEL ADVISORY COMMITTEE, TECHNOLOGY SUB-PANEL

Notice of Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (5 U.S.C. App. I), notice is hereby given that the Technology Sub-Panel of the Chief of Naval Operations Executive Panel Advisory Committee will hold a closed meeting on February 6 and 7, 1975, at the Pentagon, Washington, D.C. The sessions will commence at 9 a.m. and terminate at 5:30 p.m.

The agenda will consist of matters which are classified in the interest of national security, including intelligence systems and applications, weapons and ship design, and long-range Navy plans and policy. The Secretary of the Navy for that reason has determined in writing that meetings of the Chief of Naval Operations Executive Panel Advisory Committee should be closed to the public because they are concerned with matters listed in 5 U.S.C. 552(b).

Dated: January 8, 1975.

H. B. ROBERTSON, Jr.,
Rear Admiral, JAGC, U.S. Navy,
Acting Judge Advocate General.

[FR Doc. 75-1164 Filed 1-13-75; 8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

OUTER CONTINENTAL SHELF OFF TEXAS

Oil and Gas Lease Sale No. 37; Correction

FEBRUARY 4, 1975.

In FR Doc. 75-38, signed by the Director, Bureau of Land Management, and approved by Under Secretary of the Interior John C. Whitaker, appearing at 40 FR 804, in the issue for Friday January 3, 1975, in the table at the top of the left column on page 807 headed "OCS Official Leasing Map, South Padre Island—East Addition, Texas Map No. 1A (Approved May 6, 1965—Continued," all tracts beginning with "37-137" and ending with "37-172," inclusive, are hereby deleted. The tracts hereby deleted from the Notice will not be included in Oil and Gas Lease Sale No. 37.

CURT BERKLUND,
Director,
Bureau of Land Management.

Approved: January 8, 1975.

ROLAND G. ROBISON, Jr.,
Acting Assistant Secretary
of the Interior.

[FR Doc. 75-1067 Filed 1-13-75; 8:45 am]

Geological Survey

SYSTEMS DESIGN ANALYSIS

Intention to Develop an OCS Order

Pursuant to the regulations under 30 CFR Part 250 and to current procedures for the development of the Outer Continental Shelf (OCS) Orders and Standards, the Geological Survey intends to develop an OCS Order on Systems Design Analysis, and a Geological Survey Standard setting forth the requirements for performing such analysis. This analysis shall permit the identification of potential undesired conditions—such as injury or death to personnel, fires or explosions, or environmental pollution—before they become actualities (while the equipment is still in the design phase) and permit necessary changes to be made prior to component installation.

For initial implementation, this Systems Design Analysis shall be performed only on newly constructed oil and gas production facilities. This includes all production platforms, multi-well satellites, and single-well caissons. The analysis will be performed on all devices in the production stream from the subsurface safety valve through the Christmas tree, any related production equipment, including all pumping and compressing systems (if applicable), and on through the last device (shut-in valve) where the products depart that platform. As a minimum, the analysis shall also include all electrical and/or diesel power equipment, all automatic firefighting and detecting equipment, and all safety and anti-pollution equipment. The analysis will not be used as an analyzing procedure for the structural members of the platform.

The required data submittal from the operator to the U.S. Geological Survey will be a synopsis in the form of a matrix of the analysis which has been performed. The purpose of this matrix is to rank the criticality of those devices, the failure of which could not result in environmental pollution, fires, explosions, personnel injury, or loss of life. It is anticipated that the format and content of the matrix will be established by the accompanying Standard. The synopsis will be submitted to the Geological Survey as early as possible in the equipment design phase, thus allowing necessary time for Geological Survey review and approval prior to the final design review of the equipment by the operating company.

In an attempt to verify the validity of the basic data and assumptions, the Geological Survey will periodically audit the actual Systems Design Analysis as performed by the operator. This basic verification tool and program evaluation technique shall be used to develop confidence in the submitted data.

Consistent with current procedures, comments and suggestions are solicited as to the content of this proposed OCS Order and Geological Survey Standard.

Interested persons may submit written comments and suggestions to the Chief, Conservation Division, U.S. Geological Survey, National Center, Mail

Stop 650, 12201 Sunrise Valley Drive, Reston, Virginia 22092, on or before March 3, 1975.

W. A. RADLINSKI,
Acting Director.

[FR Doc.75-1087 Filed 1-13-75;8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

GRAIN STANDARDS

Ohio Grain Inspection Point

Statement of considerations. On November 18, 1974, there was published in the FEDERAL REGISTER (39 FR 40519) a notice announcing (1) a request by the Marion Ohio Grain Inspection Service, Marion, Ohio, that its designation to operate as an official inspection agency, as defined in section 7(f) of the U.S. Grain Standards Act (7 U.S.C. 79(f)), at Marion, Ohio, be transferred to the Columbus Grain Inspection, Columbus, Ohio, and (2) the application by the Columbus Grain Inspection, Columbus, Ohio, for designation to operate as an official inspection agency at Marion, Ohio. Interested persons were given until December 18, 1974, to make application for designation to operate as an official inspection agency at Marion, Ohio, and to submit written views and comments with respect to the proposed transfer.

No comments from users of the service and no applications for designation were received other than the application from the Columbus Grain Inspection.

After due consideration of all submissions made pursuant to the notice of November 18, 1974, and all relevant matters, the designation to operate as an official inspection agency at Marion, Ohio, is hereby transferred from the Marion Ohio Grain Inspection Service to the Columbus Grain Inspection.

(Sec. 7, 39 Stat. 482, as amended 82 Stat. 764 (7 U.S.C. 79(f)); 37 FR 28464 and 28476)

Effective date. This notice shall become effective January 14, 1975.

Done in Washington, D.C. on: January 8, 1975.

E. L. PETERSON,
Administrator,
Agricultural Marketing Service,

[FR Doc.75-1191 Filed 1-13-75;8:45 am]

Forest Service

CALIFORNIA ADVISORY COMMITTEE

Meeting

The California Advisory Committee to the U.S. Forest Service will hold a regular

meeting on February 11, 1975, in room 539, at 630 Sansome Street, San Francisco, California, at 9 a.m.

The agenda will include reports on current legislation involving the Forest Service, the status of appeals and other legal actions, a review of the past year's activities and a discussion of current management problems.

Public participation is invited, and written statements are welcome, before or after the meeting by contacting the Regional Forester, U.S. Forest Service, 630 Sansome Street, San Francisco, California 94111—Telephone (415) 556-4310. Oral statements can be made by making arrangements with the chairman in advance.

DOUGLAS R. LEISZ,
Regional Forester.

JANUARY 7, 1975.

[FR Doc.75-1101 Filed 1-13-75;8:45 am]

LONGLEAF ISLANDS UNIT PLAN

Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for the Longleaf Islands Unit Plan, Ocala National Forest, USDA-FS-R8-DES (ADM.)—75-11.

The management program contained in this Environmental Impact Statement is for the 19,300-acre Longleaf Islands Unit on the Lake George Ranger District in the Ocala National Forest. The program encompasses a ten-year planning period.

The management direction for this unit is to maintain the islands of Norwalk, Ker, Salt Springs, Syracuse and Riverside in a pleasant and natural condition and to provide open park-like space for dispersed recreation. Emphasis will be placed upon improving hunting opportunities for quail.

This draft environmental statement was transmitted to CEQ December 31, 1974. Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service
South Agriculture Bldg., Rm. 3230
12th St. & Independence Ave., SW
Washington, DC 20250

USDA, Forest Service
1720 Peachtree St., NW, Rm. 804
Atlanta, GA 30309

USDA, Forest Service
District Ranger
Lake George Ranger District
Ocala, Florida 32670

A limited number of single copies are available upon request to Forest Supervisor Frank Finison, National Forests in Florida, P.O. Box 1050, Tallahassee, Florida 32302.

Copies of the environmental statement have been sent to various Federal, State and local agencies as outlined in the Council on Environmental Quality Guidelines.

Comments are invited from the public and from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved for which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to Forest Supervisor Frank Finison, National Forests in Florida, P.O. Box 1050, Tallahassee, Florida 32302. Comments must be received by March 1, 1975 in order to be considered in the preparation of the final environmental statement.

Dated: December 31, 1974.

DAVID F. JOLLY,
Regional Environmental
Coordinator.

[FR Doc.75-1081 Filed 1-13-75;8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business
Administration

CALIFORNIA STATE UNIVERSITY AT LOS ANGELES

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 75-00096-00-77040.
Applicant: California State University, L.A., 5151 State University Drive, Los

Angeles, California 90032. Article: Double Focusing Attachment for CH-5 Mass Spectrometer. Manufacturer: Varian MAT, West Germany. Intended use of article: The article is an accessory to an existing mass spectrometer being used for the application of negative ion mass spectrometry in the following research projects:

- (1) Negative Ion Mass Spectrometric Sequencing of Amino Acids in Peptides.
- (2) Negative Ion Mass Spectral Studies of Carboranes and Boron Hydrides
- (3) Gas Phase Non-Benzenoid Aromatic Systems studies.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The application relates to an accessory for an instrument that had been previously imported for the use of the applicant institution. The article is being furnished by the manufacturer which produced the instrument with which the article is intended to be used, and is pertinent to the applicant's purposes.

The Department of Commerce knows of no similar accessory being manufactured in the United States, which is interchangeable with or can be readily adapted to the instrument with which the foreign article is intended to be used.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

A. H. STUART,
Director,

Special Import Programs Division.

[FR Doc.75-1156 Filed 1-13-75;8:45 am]

UNIVERSITY OF WASHINGTON

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 74-00384-33-46040. Applicant: University of Hawaii, Pacific Biomedical Research Center, 1960 East-West Road, Honolulu, Hawaii 96822. Article: Election Microscope, Model EM 201. Manufacturer: Philips Electronic Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used for a wide variety of biological investigations at the sub-cellular and cellular levels which include the following:

(1) Microtubular structure and function, including the mechanism of motility of cilia and flagella, and of chromosome movement in the mitotic apparatus.

(2) The mechanism of cell division particularly the role of fibrillar structures in the formation of the cell furrow.

(3) The breakdown of the cortical granules and their role in the formation of the hyaline layer at fertilization.

(4) The structure of the egg cortex and its role in embryonic determination.

The article will also be used extensively by graduate students in two directed research courses, number 699 in the Department of Zoology and 799 in the Department of Biochemistry and Biophysics.

Comments: No comments have been received with respect to this application.

Decision: Application denied. An instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: This application is a resubmission of Docket Numbers 74-00087-33-46040, 73-00336-33-46040, and 72-00493-33-46040 which were denied without prejudice to resubmission for informational deficiencies. In reply to Question 8 the applicant alleges that the foreign article provides the following pertinent features:

(1) Magnifications from 200 \times scanning to 200,000 \times with a single switch and without a pole-piece substitution.

(2) Simplicity of operation with a high level of ultimate performance; simple operation is principally exemplified by a single control and intense illumination source.

The Department of Health, Education, and Welfare (HEW) has evaluated this application and advises us that the Model EMU-4C electron microscope, manufactured (at the time the foreign article was ordered) by Forglia Corporation, is the most closely comparable domestic instrument. HEW advises in its memorandum dated June 14, 1974 that the EMU-4C provides an equivalent magnification range without a pole-piece change and also has a high intensity grid cap (for better illumination and contrast). Further HEW advises that the foreign article "is not a very simple instrument," but rather, in many respects, is of the same approximate level of complexity as the EMU-4C. HEW also advises that the foreign article's electron gun and voltage stability which were cited in a separate "amplification" submitted with the application to the Bureau of Customs (now the U.S. Customs Service), are not demonstrated to be clearly pertinent (within the meaning of § 701.2(n) of the regulations), although, in any event, these features are not found to be superior. Other features or criteria cited by the applicant including those in the "amplification" are either cost related (not pertinent within the meaning of § 701.2(n)) or otherwise not pertinent.

For these reasons we find that the Model EMU-4C is of equivalent scientific

value to the foreign article for such purposes as this article is intended to be used.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

A. H. STUART,
Director,

Special Import Programs Division.

[FR Doc.75-1157 Filed 1-13-75;8:45 am]

WILLIAM BEAUMONT HOSPITAL, ET AL.

Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, on or before February 3, 1975.

Amended regulations issued under cited Act, as published in the February 24, 1972 issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C. 20230.

Docket number: 75-00262-33-90000. Applicant: William Beaumont Hospital, 3601 West 13 Mile Road, Royal Oak, Michigan 48072. Article: EMI Scanner System with Magnetic Tape System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used for studies of human subjects whose symptoms strongly suggest the presence of neurological disease, including patients with suspected tumors, congenital malformations of the skull and brain, and patients who have suffered traumatic injuries to the cranium. The patients will be studied to determine the feasibility of diagnosing brain disease with the article.

The article will also be used to train radiologists and radiologic technologists on its operating principles and applications. Application received by Commissioner of Customs: December 10, 1974.

Docket number: 75-00263-33-90000. Applicant: St. Anthony Hospital, 601 N.W. 9th Street, Oklahoma City, Oklahoma 73102. Article: EMI Scanner System with Magnetic Tape System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used for studies of the human brain in vivo. Studies will be

made comparing the accuracy of computerized axial tomography with conventional neurologic examination which includes Aertriography, Pneumography and Nuclear Scans. The article will also be used to familiarize neurosurgical and radiology residents with the operations of the article as well as the results that can be expected. In addition, it will be used to train the attending and the housestaff of the hospital. Application received by Commissioner of Customs: December 10, 1974.

Docket number: 75-00264-33-90000. Applicant: North Memorial Medical Center, 3220 Lowry Avenue North, Minneapolis, Minnesota 55422. Article: EMI Scanner System with Magnetic Tape System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The foreign article is to be used in patient care and educational programs for medical and paramedical personnel. Application received by Commissioner of Customs: December 10, 1974.

Docket number: 75-00265-33-90000. Applicant: Wesley Medical Center, 550 North Hillside, Wichita, Kansas 67214. Article: EMI Scanner with Magnetic Tape System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used for studies and diagnosis of conditions and/or diseases such as brain tumors, hemorrhages and trauma. The article will be used for screening patients who have multiple sclerosis, epilepsy, dementia, atypical headaches, etc. Through such studies, diagnosis and/or therapeutic treatment will be rendered to the patient much sooner than heretofore possible with a greater chance of cure or realization of corrective measures. Application received by Commissioner of Customs: December 10, 1974.

Docket number: 75-00266-33-90000. Applicant: University of Chicago Hospitals and Clinics, 950 East 59th Street, Chicago, Illinois 60637. Article: EMI Scanner System with Magnetic Tape System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article will be used to study a variety of tumors and diseases of the human brain. Scans of patients with brain disease established and diagnosed by standard, approved means, such as angiography and surgical biopsy will be compared with the scans of apparently normal subjects. The article will also be used in teaching and training resident physicians in Radiology, Neurosurgery, Neurology and Ophthalmology, as well as medical students, in the diagnosis of brain diseases by computerized axial tomography. Application received by Commissioner of Customs: December 10, 1974.

Docket number: 75-00267-33-43780. Applicant: Duke University Medical Center, Box 3715, Durham, N.C. 27710. Article: Echocardiograph 0-1 Two Dimensional Real Time Echocardiography System. Manufacturer: Organon Tek-nik, BV, The Netherlands. Intended use of Article: The article is intended to be used for research aimed at producing a

method for diagnosis of congenital heart disease in children which is as good as cardiac catheterization yet is noninvasive and therefore much safer than is catheterization. Patients will undergo echocardiographic examination prior to anticipated cardiac catheterization and these results then will be compared with those results obtained at catheterization. Application received by Commissioner of Customs: December 10, 1974.

Docket number: 75-00268-33-90000. Applicant: St. John's Hospital, 14 Bartlett Street, Lowell, Mass. 01852. Article: EMI Scanner System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used in research projects to develop new techniques of neuroradiologic diagnosis and optimum patterns of study for patients with symptoms referable to the central nervous system. Applicant received by Commissioner of Customs: December 10, 1974.

Docket number: 75-00269-33-46500. Applicant: University of Illinois, Corner of Goodwin and Pennsylvania, Urbana, Illinois 61801. Article: Ultramicrotome, Model Om U3. Manufacturer: C. Reichert Optische Werke, Austria. Intended use of article: The article is intended to be used to section tissues of swine aorta, rat aorta, and rat kidney for examination of cellular structure under an electron microscope in experiments involving dietary factors in tissue pathology and cellular pathology features in atherosclerosis. Application received by Commissioner of Customs: December 11, 1974.

Docket number: 75-00270-99-07795. Applicant: Montana State University, Department of Physics, Bozeman, MT 59715. Article: Model CPS-2 Coherent NMR Pulse Spectrometer. Manufacturer: Spin-Lock Electronic Ltd., Canada. Intended use of article: The article will be used to make NMR dielectric, and thermal measurements in a search for an expected tricritical point in KH_2PO_4 and to determine properties of the crystal near such a tricritical point. Continued NMR and dielectric studies of LiH_2SO_4 will aim at an understanding of the microscopic mechanism for its nearly one dimensional protonic conductivity and associated unusual dielectric properties. In addition, the article is intended to be used for educational purposes in connection with Physics 690 "Doctoral Thesis", to train Ph.D. candidates in research techniques. Application received by Commissioner of Customs: December 11, 1974.

Docket number: 75-00271-33-84600. Applicant: State University of New York, Downstate Medical Center, 450 Clarkson Avenue, Brooklyn, N.Y. 11203. Article: Parnvac Vacuum Forming Machine, Model 2420. Manufacturer: Parnvac Parnall & Sons, Ltd., United Kingdom. Intended use of article: The article is intended to be used to fabricate plastic shells for the assurance of proper beam direction in the treatment of cancer by

radiation teletherapy. The article will also be used for the instruction of residents in the Department of Radiation Therapy. The development of techniques for the making of plastic molds for each patient will enable the residents to learn and practice increased accuracy in the treatment of cancer patients. Application received by Commissioner of Customs: December 11, 1974.

Docket number: 75-00272-33-90000. Applicant: The Toledo Hospital, 2142 North Cove Boulevard, Toledo, Ohio 43606. Article: EMI Scanner System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used for the diagnosis of brain tumors, intracerebral hemorrhages and hemorrhage associated with trauma as part of a teaching program of medical students and residents in the Department of Medicine and Surgery, of which neurology and neurosurgery, are subspecialties. Application received by Commissioner of Customs: December 11, 1974.

Docket number: 75-00273-33-46040. Applicant: University of California, Los Angeles, Purchasing Department, 405 Hilgard Avenue, Los Angeles, CA 90024. Article: Electron Microscope, Model JEM 100B. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used for characterization and structure analysis of samples during studies of multisubunit enzymes. Other studies to be carried out include the following:

- (1) Interaction of proteins in DNA,
- (2) Interaction between "B-labelled antibodies and specific cell surface antigens,
- (3) Structure-function Relationships in Biochemistry,
- (4) Studies of lipoproteins, protein-DNA interactions and haptenantibody complexes,
- (5) Relationship between catalytic activity and macromolecular structure,
- (6) Viruses and Malignant transformation.

Application received by Commissioner of Customs: December 11, 1974.

Docket number: 75-00274-98-07795. Article: Sandia Laboratories, Kirtland Air Force Base East, Albuquerque, New Mexico 87115. Article: Imacon Camera. Manufacturer: John Hadlund, United Kingdom. Intended use of article: The article will be used in vacuum arc studies to investigate the required high gain flexibility plus amendability for coupling of custom primary objects in an overall program involving the physics of switch tubes. Application received by Commissioner of Customs: December 11, 1974.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

A. H. STUART,
Director,

Special Import Programs Division.

[FR Doc. 75-1158 Filed 1-13-75; 8:45 am]

**National Oceanic and Atmospheric
Administration**
FISHERY MARKET NEWS REPORTS
Availability on a Subscription Basis

JANUARY 7, 1975.

In order to continue to provide Market News reports, the National Marine Fisheries Service (NMFS) will make the reports available on a subscription basis beginning July 1, 1975. Proceeds from subscription sales will be used by NMFS to recover the expenses of printing, distribution and mailing the reports.

The subscription period will be one year beginning July 1, 1975, although subscribers will have the opportunity to subscribe on a quarterly basis. Subscription charges will be separate for reports originating in separate offices. Charges for the various reports are not expected to exceed \$30 to \$40 per year depending on the frequency of issuing the reports. Currently NMFS issues Market News reports three times weekly from Boston, New Orleans, Terminal Island, and Seattle; a New York Report is issued five times per week.

Prior to the decision to charge for Market News reports, certain representatives from all sectors of the fishing industry were interviewed by NMFS personnel in an effort to obtain their comments on ways of improving the Fishery Market News Program. Subjects such as format and organization of material, frequency and timeliness of the reports, reporting areas, accuracy of the price and landings information, and coverage of products and foreign subscriptions were discussed.

In viewing of the pending subscription charges, the NMFS would like to provide an additional opportunity for prospective subscribers to comment on these and other subjects and ways of improving the effectiveness of the Fishery Market News Program so as to improve the reports as much as possible prior to July 1975.

These reports are for the use and benefit of the recipients. Therefore, the NMFS is asking the public to participate in making this longstanding service as useful as possible. Comments submitted in writing should be sent to one of the following NMFS Regional Directors by January 30, 1975.

New York and Boston Reports:

Mr. Russell T. Norris, Regional Director, Northeast Region, National Marine Fisheries Service, 14 Elm Street, Gloucester, Massachusetts 01930.

New Orleans Report:

Mr. William Stevenson, Regional Director, Southeast Region, National Marine Fisheries Service, Duval Building, 9450 Gandy Blvd., N., St. Petersburg, Florida 33702.

Terminal Island Report:

Mr. Gerald V. Howard, Regional Director, Southwest Region, National Marine Fisheries Service, 300 South Ferry Street, Terminal Island, California 90731.

Seattle Report:

Mr. Donald R. Johnson, Regional Director, Northwest Region, National Marine Fisheries Service, 1700 Westlake Avenue North, Seattle, Washington, 98109.

All comments will be considered. Further information on the actual subscription rates and details on obtaining subscriptions will be announced in the FEDERAL REGISTER on or before March 1, 1975.

JACK W. GEHRINGER,
Acting Director.

[FR Doc.75-1078 Filed 1-13-75;8:45 am]

**BAREBOAT CHARTER OF VESSELS TO A
COMPANY UNDER FOREIGN CONTROL**

Changes of Hearing and Comment Dates

JANUARY 9, 1975.

On December 2, 1974 (39 FR 41756), the National Marine Fisheries Service published a notice of a receipt of applications submitted pursuant to sections 9 and 37 of the Shipping Act, 1916, as amended (46 USC 808,835), for approval of the bareboat charter of two oil screw fishing vessels (KINGFISH and POM-PANO) from Citicorp Leasing, Inc., 399 Park Avenue, New York, N.Y. 10022, to Whitney-Fidalgo Seafoods, Inc., 2360 Commodore Way, Seattle, Washington 98199. In this notice, the Service solicited the written comments of interested persons in regard to these applications, stating that these should be submitted to the Director, National Marine Fisheries Service, Washington, D.C. 20235, on or before December 27, 1974. The Service announced that a hearing on the applications would be held in Room 436, Lake Union Building, 1700 Westlake Avenue North, Seattle, Washington 98109 on January 16, 1975.

Notice hereby is given that the hearing scheduled for January 16, 1975, is cancelled; and that, instead, the hearing will be held at 10 a.m. on Thursday, February 6, 1975, at the Westlake Avenue address above.

Notice hereby also is given that the closing date of December 27, 1974, for submission of written comments is extended; and that interested persons may submit comments on these applications to the Director, National Marine Fisheries Service, at the Washington, D.C., address above on or before Tuesday, February 4, 1975.

At the hearing, interested persons may present oral or written testimony in relation to the applications. The applicant and any opponents of the applications are encouraged to submit documentary evidence, including factual data, in support of any position taken at the hearing. Inquiries in regard to this notice may be addressed to Dr. Harvey M. Hutchings, Deputy Associate Director for Resource Utilization, National Marine Fisheries Service, Washington, D.C. 20235, telephone number: 202-634-7262.

JACK W. GEHRINGER,
Acting Director.

[FR Doc.75-1211 Filed 1-10-75;9:22 am]

**DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE**

Food and Drug Administration
**BLOOD, BLOOD COMPONENTS, AND
DERIVATIVES**

Request for Data and Information and
Nomination for Safety, Effectiveness,
and Labeling Review Panel

Correction

In FR Doc. 74-29057 appearing at page 43413 in the issue for Friday, December 13, 1974, on page 43414 the word "serum" appearing in line 6 of section D should be deleted, and line 4 of section D, now reading "Anti-Human Chorionic Gonadotropic", should read "Anti-Human Chorionic Gonadotropic Serum."

Office of Education

**LIBRARY SERVICES AND CONSTRUCTION
ACT**

Promulgation of Federal Shares

Pursuant to section 7(b) (2) and subject to the limitations of section 7(b) (1) of the Library Services and Construction Act, 70 Stat. 293, as amended and it having been found that the three most recent consecutive years for which satisfactory data are available from the Department of Commerce as to per capita income, are the years 1971, 1972, and 1973, the Federal shares for the purposes of Titles I and II of such Act for the several States, Puerto Rico, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Virgin Islands are hereby promulgated as indicated below to be effective for the fiscal years ending June 30, 1976, and June 30, 1977.

(Catalog of Federal Domestic Assistance Program Number 13.464; Library Services-Grants for Public Libraries; and 13.408; Construction of Public Libraries)

Dated: January 3, 1975.

DUANE J. MATTHEIS,
Acting U.S. Commissioner
of Education.

State:	Federal share (percent)
Alabama.....	61.84
Alaska.....	41.59
Arizona.....	53.14
Arkansas.....	62.44
California.....	44.48
Colorado.....	59.83
Connecticut.....	40.45
Delaware.....	42.42
District of Columbia.....	36.45
Florida.....	51.32
Georgia.....	56.61
Hawaii.....	43.67
Idaho.....	57.95
Illinois.....	42.91
Indiana.....	51.39
Iowa.....	51.20
Kansas.....	40.46
Kentucky.....	60.12
Louisiana.....	60.85
Maine.....	59.59
Maryland.....	45.20
Massachusetts.....	40.96
Michigan.....	45.54
Minnesota.....	51.03
Mississippi.....	65.27

State:	Federal share (percent)
Missouri	52.26
Montana	54.79
Nebraska	50.33
Nevada	42.57
New Hampshire	53.03
New Jersey	41.22
New Mexico	61.48
New York	42.18
North Carolina	57.86
North Dakota	51.46
Ohio	49.66
Oklahoma	57.45
Oregon	52.30
Pennsylvania	50.22
Rhode Island	50.87
South Carolina	61.69
South Dakota	57.33
Tennessee	59.47
Texas	55.03
Utah	50.21
Vermont	50.05
Virginia	51.89
Washington	49.29
West Virginia	60.49
Wisconsin	52.81
Wyoming	53.42
American Samoa	66.00
Trust Territory	100.00
Guam	66.00
Puerto Rico	66.00
Virgin Islands	66.00

[FR Doc. 75-1161 Filed 1-13-75; 8:45 am]

OFFICE OF THE REGIONAL DIRECTOR, REGION V, CHICAGO, ILL.

Statement of Organization, Functions and Delegations of Authority

Part 1 of the Statement of Organization, Functions, and Delegations of Authority of the Department of Health, Education, and Welfare, Office of the Secretary is amended to delete sections 1E (35 FR 13546), 8/25/70, and 1E8109 (39 FR 20713) 6/13/74. Section 1E85, Assistant Regional Director for Human Development (38 FR 17262) 6/29/73, is retained and redesignated 1R95. New sections are added for the several regions. Section 1E85 reflects the official organization of the Office of the Regional Director, Region V, whose headquarters is Chicago, Illinois. The new Chapter reads as follows:

SECTION 1E85.00 Mission. The Regional Director represents the Secretary in his Region. Under his direction, the Office of the Regional Director provides leadership and coordination in various Department programs and activities within the Region and represents the Department in direct official dealings with State and other governmental units, representatives of the Congress, and the general public.

Sec. 1E85.10 Organization. The Office of the Regional Director, Region V, is under the direction and control of the Regional Director who reports directly to the Secretary and Under Secretary, and consists of the following:

Regional Director
Deputy Regional Director
Office of the Regional Attorney
Office of Equal Employment Opportunity
Executive Secretariat
Office of Civil Rights
Office of Audit
Office of ARD for Public Affairs

Office of ARD for Planning and Evaluation
Office of ARD for Intergovernmental Affairs
Office of ARD for Financial Management
Office of ARD for Administration and Management
Office of ARD for Human Development
Office of Long Term Care Standards Enforcement

Sec. 1E85.20 Functions.—A. Regional Director (1E8501). The functions of the Regional Director are:

1. Serves as the Secretary's representative in direct official dealings with State and other governmental units, and evaluates Regional, State, and local activities related to the Department's programs.

2. Develops regional priorities which emphasize the Department goals and highlight areas of particular needs or opportunities in the region, so that efforts and resources may be brought to bear on them. Formulates regional plans for each priority and assures that regional agency heads achieve all their objectives in accordance with their plans. Conducts formalized planning conferences with regional representatives to assure a complete exchange of significant management information.

3. Exercises general coordination and supervision of personnel and activities in the region to ensure proper execution of policies, regulations, and instructions applicable to the Department as a whole. Recognizes interprogram disparities, exercises leadership to keep these disparities within constructive limits to assure effective, efficient, and responsive actions in the interest of total service to the public.

4. Assures that staff offices provide full support to agency operating programs.

5. Provides coordination of the activities of the principal representatives of the principal operating components who are stationed in or detailed to the region, including determination of regional program priorities and official communications with representatives of State or other Federal agencies.

6. Through coordination and supervision, exercises leadership in bringing about necessary awareness of the status of other programs of the Regional Office, and fosters cooperative relationships among program and staff representatives in seeing that plans are effectively made, operations are smoothly carried out, and performance is adequately evaluated.

7. Promotes general public understanding of the programs, policies, and objectives of the Department, and participates in the development and carrying out of a Regionwide information and public information program.

8. Establishes and maintains working relationships with Governors and key State and local officials; furnishes advice and assistance and strives to develop a mutually beneficial Federal-State-local partnership. Provides guidance to regional staff members on the priorities, emphases, and merits of various requirements based on expressions of need and analyses by governors, mayors, and other key officials.

9. Maintains working relationships with private agencies and institutions; develops ways in which their plans and programs and those of the Department can actively complement each other.

10. Develops continuing cooperative relationships with officials of the Federal agencies in the Region; through the medium of Regional Councils seeks ways in which interdepartmental delivery of program services can be made more effective.

11. In accordance with regulations and guidelines established at headquarters, administers the child development programs in the region, including the Head Start program. Makes certain Head Start grants and takes other grants actions, as required.

12. Through liaison, periodic conferences, and other means, takes action to coordinate and integrate activities which are not directly associated with the regional office with regional office activities.

13. Develops plans for emergency preparedness and directs all Department activities necessary to ensure continuity of essential functions within the Region in case of an emergency due to enemy action; maintains a written plan for regional emergency operations; maintains liaison with all Federal authorities engaged in mobilization planning; acts in cooperation with them in an emergency situation; directs on behalf of Secretary all Department activities in the Region if communications with national headquarters are cut off.

14. Directs regional activities for assistance and alleviation of distress within the region resulting from natural disasters; maintains a plan for regional response to natural disasters, including emergencies and major disasters under the Disaster Relief Act of 1974 Public Law 93-288; takes all necessary and appropriate action in connection with disaster situations and reports thereon.

15. In accordance with regulations and guidelines established at headquarters, administers, through the Office of Long Term Care Standards Enforcement, activities as herein described relating to the approval and termination of agreements with skilled nursing facilities for the purpose of participation in either the Medicare (Title XVIII) or in both the Medicare and Medicaid (Title XIX) programs.

B. Deputy Regional Director (1E8502). Serves as Acting Regional Director in the absence or disability of the Regional Director or in the event of a vacancy in the Office of Regional Director. The Deputy Regional Director performs other duties and functions at the request of the Regional Director.

C. Executive Secretariat (1E8505). Monitors the decision-making process for the Regional Director and facilitates the internal processes of coordination and communication, as follows:

1. Screens Regional Director's correspondence and filters out those items which require immediate attention by the Regional Director and Regional

Director's staff, as well as the assignment of time deadlines for Regional Director's action items. Takes appropriate action to clarify issues and instructions before a request for information is forwarded to the appropriate action office. Provides current and consolidated information or indicates where such information may be obtained for all policy issues and projects in the Region.

2. Operates a comprehensive system for tracking action items and ensures that the Regional Director has timely and quality input from all appropriate offices on which to base his decisions. Assures that all outgoing correspondence are quality products that represent the best possible presentation of the Regional Director's views; synthesizes detailed responses from various offices into a single document for outgoing correspondence going to the Secretary and other Headquarters units, and for Regional Director's decision memoranda.

3. Provides for feedback to the Regional Director on the impact of his decisions. By obtaining periodic status reports on selected key issues and projects, ensures proper compliance with past decisions, highlights problem areas for renewed Regional Director's attention, and develops an ever current supply of data for management conferences and for responding to incoming requests from the Secretary, various elected officials, and regional staff.

D. *Office of the Regional Attorney* (1E8503). The functions of the Office of the Regional Attorney are as follows:

1. Advises and counsels the Regional Director and operating program personnel on legal issues relating to their responsibilities within the Region. On all matters within the competence of the legal profession the Regional Attorney is subject to the supervision of the General Counsel; on all other matters he is subject to the supervision of the Regional Director.

2. As requested by the Regional Director, assists in legal aspects of program development and of policy problem solution;

3. Provides professional legal services, such as preparation of legal instruments, memoranda, reports, and interpretive analyses;

4. Represents or counsels the Regional Director in negotiations to resolve actual and potential problems of a legal nature;

5. Provides appropriate legal assistance to state agencies and officials in connection with DHEW programs, as requested by the Regional Director;

6. As requested by the General Counsel, prepares for and conducts administrative hearings, aids the U.S. attorney in preparation for and conduct of litigation, and performs such other duties as may be requested by the General Counsel;

7. Seeks to so order his time and workload priorities as to meet the needs of the Regional Office as determined by the Regional Director;

8. Subject to final approval by the Regional Director, selects, promotes, and takes all personnel actions with respect

to his professional and clerical staff, in accordance with the personnel policies of the Office of the General Counsel.

E. *Office of Equal Employment Opportunity* (1E8504). Serves as the Regional Director's staff for the establishment and maintenance of a positive program of non-discrimination in Departmental employment in the Region. Has responsibility for the Regional HEW Federal Women's Program and the Regional Spanish-Surnamed Program. Monitors the OS EEO complaint system and issues proposed dispositions on all OS formal complaints. Prepares the Regional Annual Affirmative Action Plan.

F. *Office of Long Term Care Standards Enforcement* (1E8571) performs these functions as follows:

1. Provide recommendations to the Regional Director on administrative actions necessary to carry out those portions of Titles XVIII and XIX of the Social Security Act related to the certification by State agencies of skilled nursing facilities (SNFs) for participation in the Medicare and Medicaid programs. Those activities, within the region, which pertain to Title XVII and the Title XIX certification include: the Issuance of Title XVIII time limited agreements; for homes participating under Title XVIII or under both Titles XVIII and XIX, the approval of corrective plans of action for deficiencies in SNFs which participate either as components of larger institutions or as free standing units; granting waivers of provisions of the Life Safety Code of the National Fire Protection Association (21st edition, 1967) or provisions of Standard No. A117.1 of the American National Standards Institute, and waivers of certain other provisions of physical environment standards as they pertain to SNFs; public disclosure of State agency reports of deficiencies in SNF compliance with standards in accordance with section 1864(a) of the Social Security Act; approval of State fire codes in lieu of the Life Safety Code; and granting waivers, under specified circumstances, of the requirement that an SNF have on duty more than one registered nurse more than 40 hours per week.

2. Establish and maintain close working relationships with administrators of State health, welfare, and other departments involved under established agreements in the certification of and assistance to SNFs and ICFs. Perform evaluations of: State agency performance with respect to enforcing health and safety standards for SNFs and ICFs; and the State agencies' recommendations for waivers of provisions of the 1967 Life Safety Code with respect to SNFs and ICFs. Monitor States' Implementation of the ICF regulations.

3. Participate in the negotiations of budgets with State survey agencies for their services and review those portions of the State agency budget relative to SNF/ICF certification and the provision of state consultative services to SNFs and ICFs and recommend to the Social Security Administration (SSA), Regional Commissioner and to the Social and Rehabilitation Service (SRS), Regional

Commissioner, amounts that should be approved for SNF and ICF certification and certification-related activities.

4. Participate with other appropriate Federal programs in evaluations of State agency certification operations which are designed to assess State survey agency performance in program management, in applying established health, safety, and Life Safety Code standards and in evaluating quality of care (e.g., participate in SSA's comprehensive program reviews of State survey agency performance and in SRS's program reviews of the Title XIX single state agency).

5. Develop and implement procedures to assure the timely and effective conduct of the following: (a) State surveys of individual SNFs and ICFs, (b) Federal review and processing of State agency certifications and documentation pertaining to SNF compliance, (c) Federal decisions approving agreements, terminations or the granting of waivers to SNFs and (d) Federal direct validation surveys of selected SNF and ICF facilities.

6. Provide technical assistance for the professional training of State agency personnel on their duties in survey/certification and evaluation of the functional performance of SNFs and ICFs with respect to the quality of health care delivered.

7. Assist State agencies to develop their capabilities for the provision of specialized technical assistance to SNFs and ICFs on highly complex aspects of the survey requirements and on the development of acceptable plans of corrective action for overcoming deficiencies.

8. Assist States, provider organizations, and educational institutions in the stimulation, development, and implementation of training opportunities for SNF and ICF personnel in order to correct deficiencies and upgrade the quality of care offered, including mental health aspects of long term care.

9. Review complaints received by the Regional Directors concerning State agency and SNF/ICF activities and initiate appropriate action for investigation and resolution.

10. With SSA, SRS and the Public Health Service (PHS), as appropriate, provide information and interpretations concerning standards for the delivery of SNF and ICF services to media, consumer and provider groups, professional health associations, and other health and welfare groups.

11. Based on regional conditions and trends related to SNFs and ICFs, make recommendations to the Office of Nursing Home Affairs (ONHA) or through ONHA, to the headquarters components of SSA, PHS and SRS, as appropriate, on revisions to present program policies criteria, standards or procedures.

12. Provide data and reports to ONHA on SNF/ICF survey/certification activities on SNF and ICF health service utilization and on the impact of certification and assessment procedures on the delivery of SNF and ICF health service

utilization and on the impact of certification and assessment procedures on the delivery of SNF and ICF health services. Provide reports to SSA, SRS, and PHS on the status of SNF and ICF facility compliance in the region.

13. Work with and provide information as requested to, the Social Security Administration, on the following SNF related activities:

a. Utilization review processes of SNF's;

b. Change of provider status in the Medicare program (e.g., change of ownership, termination because of failure to provide proper financial information or, because of requests for payment substantially in excess of costs or for improper or unnecessary services, or withdrawal from program);

c. Certification of SNF's as a "distinct part" of another facility; and

d. Requests for hearings on terminated SNF's participating in Medicare.

14. Work with, and provide information as requested to, the Social and Rehabilitation Service, on the following SNF and ICF related activities:

a. Utilization and periodic medical review procedures for SNF's;

b. Utilization and independent professional review procedures for ICF's;

c. Level of care determinations;

d. Recipient eligibility issues; and

e. Cost-sharing requirements.

15. Work with, and provide information as requested to, the Public Health Service on the following SNF and ICF related activities:

a. Health care standards development efforts of the Bureau of Quality Assurance;

b. Utilization review determinations under Professional Standards Review Organizations;

c. Provider improvement program initiatives of the Health Resources Administration;

d. Comprehensive health planning determinations under section 1122 of the Social Security Act; and

e. Other relevant SNF and ICF program activities conducted by the Health Resources Administration, Health Services Administration, Alcohol, Drug Abuse, and Mental Health Administration, National Institute of Health, Center for Disease Control, and the Food and Drug Administration.

16. Coordinate with the Office of Human Development in the areas of their delegated responsibilities for, and concern with, the mentally retarded and aging.

17. Coordinate, under the Office for Civil Rights in monitoring the implementation of Title VI of the Civil Rights Act of 1964 with respect to SNF's and ICF's.

18. Coordinate, under the direction of the Regional Director, with regional personnel of the Office of Facilities Engineering and Property Management on matters relating to the interpretation and enforcement of provisions of the Life Safety Code.

19. Coordinate with the Department of Housing and Urban Development in implementation of Public Law 93-204.

G. *Office of the Assistant Regional Director for Public Affairs (1E8551)*. 1. Serves as a principal advisor to Regional Director in formulation of policies, approaches, and procedures in the field of public information and in the formulation of approaches to major policy issues and has a broad range of responsibility in developing overall strategies and techniques for long range Public Affairs activities, in line with the Secretary's policy and the trend toward inter-agency coordination and Departmental control.

2. Provides briefing material and other intelligence for visits to the region by the President, Vice President, the Secretary, the Under Secretary, and other top officials, including members of Congress.

3. Maintains close liaison with groups outside the Federal government—national media, publication houses, constituent agencies in State and Local government, major health/education/welfare organizations, governors' offices, and mayors of various cities.

4. Advises key officials of the Regional Office, including the Regional Director and agency representatives on public information, public reporting, and related aspects of program matters.

5. Serves as a central point of communication with the press, radio and TV news media, issuing all news materials originating within the Regional Office and amplifying, clarifying or explaining the impact and effect within the Region of national news issued by Departmental headquarters.

6. Is responsible for overall program supervision of the Regional Office's total public information program. Coordinates and exercises functional supervision over information services and all other activities of the Regional Office related to publications, public reports, and other informational and public affairs matters. Is responsible for the clearance of all information for public distribution before its release and certification as to the necessity for illustrations and related materials.

7. Prescribes procedures for planning, production, clearance, release, and distribution of all material prepared with the Region for release through Government channels.

8. Issues policies, standards, and procedures as may be necessary to carry out the public affairs functions and responsibilities of the Regional Office.

9. Serves as the initial denial authority for all regional documents requested under the Freedom of Information Act.

H. *Office of the Assistant Regional Director for Planning and Evaluation*. [Reserved]

I. *Office of the Assistant Regional Director for Intergovernmental Affairs*. [Reserved]

J. *Office of the Assistant Regional Director for Financial Management (1E8521)*. 1. Provides financial management support to the Regional Director

and regional agency heads for decentralized programs and activities. Under policies and procedures established by the Office of the Assistant Secretary, Comptroller, supervises the performance of the following financial management functions: accounting and financial reporting, budget formulation and execution, and work with state and local government and HEW grantees to include indirect cost negotiation, single letter-of-credit implementation, technical assistance, and audit follow-up.

2. On behalf of the Regional Director, provides coordination and liaison with the HEW Audit Agency, the Treasury Department, the General Services Administration and the General Accounting Office on financial management matters.

3. Is responsible for the financial administration and management of allotments or allowances which are issued to the Regional Director.

4. Performs regional accounting and reporting activities: accounting, controlling, fiscal services, and reporting for all HEW activities for which the Regional Director is delegated the authority to provide such services.

5. Performs budget activities as follows: prepares the regional budget for activities for which the Regional Director has delegated authority and assists other regional staffs in developing their budgets; prepares consolidated regional budget estimates and justifications and assists the Regional Director and regional agency heads in advocating program budget priorities for centralized and decentralized programs based on regional needs and characteristics; supervises budget execution in the region including the recording and distribution of budget resources based on allocations, allotments and allowances for regional activities; prepares recommended allowances and manpower allocations for activities delegated directly to the Regional Director; oversees the development of financial operating plans for other regional activities, reviews these plans, and provides comments to the Regional Director and other regional personnel; develops and implements a budget data system capable of monitoring financial operating plans and maintaining current information of fund availability for regional programs; and receives regional personnel ceiling allowances and monitors recruitment and employment against these allowances.

6. Carries on cost allocation and payment systems activities as follows: pursuant to delegations of authority from the Regional Director is responsible for indirect cost rate negotiations (including state and local cost allocation plans) based on cost policies and procedures established by the Division of Financial Management Standards and Procedures; provides financial management technical assistance to state and local governments and to other HEW grantees and contractors; assists the Regional Director and regional agency heads in assuring effective follow up of audit findings of major

managerial significance as disclosed by reviews of grantees' management systems.

K. Office of the Assistant Regional Director for Administration and Management (1E8511). 1. Serves as the principal advisor to the Regional Director on and directs or participates actively in all aspects of administrative management, including organization, procedures, management systems, delegations of authority, management surveys and studies, and paperwork management.

2. Serves as the principal advisor to the Regional Director on matters of administrative management. Administers the regional personnel program, including the position management classification of positions, the merit promotion program, the processing of appointments, and selected training and career development activities.

3. Reviews grants and contracts proposals for general adherence to program goals and management soundness and exercises regional sign-off authority as appropriate.

4. Provides the leadership in the establishment, maintenance, and effective use of management information and the system related thereto.

5. Administers the Regional Surplus Property Utilization program.

6. Establishes a system of effective property management, including the maintenance of item and financial property accounts.

7. Conducts periodic inspections of regional space and facilities to assure the application of optimum standards and practices related to physical and personnel safety and security.

8. Provides office services to all activities in and near the regional headquarters location, including mail pick-up and delivery; procurement, stocking, and distribution of common supplies; maintenance of the official regional files; printing and reproduction services, moving and storage services.

9. Assures the delivery of the total architectural/engineering services in support of HEW grant and loan and direct Federal construction programs and of HEW owned and utilized facilities.

L. Office of the Assistant Regional Director for Human Development. (See Chapter 1R95, HEW Organization Manual (38 FR 17262 6/29/73) (formerly numbered as 1E80).)

Sec. 1E8530 Relationships to Agency Regional Staffs and Regional Audit and Regional Civil Rights Staff. Agency regional staffs and Regional Civil Rights and Regional Audit staffs are under the line direction and control of their parent headquarters organizations. The regional staffs are subject to the general leadership and coordination of the Regional Director and receive administrative, financial, and other support services from him and his staff. The functional statements for these offices are to be found with the statements of their parent organizations.

Sec. 1E8540 Order of Succession. In the absence or disability of the Regional

Director, the Deputy Regional Director serves as acting Regional Director. In the event of the absence or disability of both the Regional Director and the Deputy Regional Director and where there is a vacancy in both positions, the Secretary or Under Secretary will designate the acting Regional Director.

Sec. 1E8450 Delegations of Authority. The delegations of authority of the Regional Director are:

A. Surplus Property Utilization. 1. Regional Directors have been delegated certain authority which may not be redelegated as follows:

a. Real property. This delegation relates to the conveyance and utilization of surplus real property and related personal property for educational and public health purposes, pursuant to section 203(k) of the Federal Property and Administrative Services Act of 1949, as amended. Each Regional Director, consistent with policies and procedures set forth in applicable regulations of the Department is authorized:

(1) To execute deeds, contracts of sale, and all instruments incident or corollary to the transfer of land and improvements thereon, or in modification of previous transfers with respect to land and improvement cost of property was less than \$1 million;

(2) To execute all instruments of conveyance or in modification of previous transfers with respect to land and improvements thereon where the acquisition and improvement cost was \$1 million or more and the Office of Surplus Property Utilization specifically authorizes closing the transaction by the Regional Office; and

(3) To execute all instruments of conveyance relating to the transfer of improvements located outside his jurisdiction and intended for removal to and use within his jurisdiction.

b. Personal property. To act or designate a member of his staff (other than the SPU Regional Representative) to act as reviewing officer to approve or disapprove determinations by the Regional Representative authorizing State Agencies to abandon or destroy surplus personal property having a line item acquisition cost of \$1,000 or more.

2. Regional Directors have been delegated certain authority related to real property which they may redelegate in writing to the SPU Regional Representative as follows:

a. Consistent with policies and procedures set forth in applicable regulations of the Department, to perform or take the actions stated below, with respect to disposal and utilization of surplus real and related personal property.

(1) To request and accept assignments from Federal Agencies of:

(a) Improvements for removal and use away from the site;

(b) Improvements for removal to and use in another regional jurisdiction; and

(c) Land and improvements thereon where the acquisition and improvement cost of the property was less than \$1 million.

(2) To make determinations incident to the disposal of assigned property described in a(1)(a) and a(1)(c) above;

(3) To issue and execute licenses and interim permits affecting assigned property described in a(1)(a) and a(1)(c) above;

(4) To execute instruments of transfer relative to property described in a(1)(a) above; except in those cases provided for in a(1)(a)(3);

(5) Except for execution of instruments of conveyance or in modification of previous transfers, to take all action with respect to land and improvements thereon where the acquisition and improvement cost was \$1 million or more and the Office of Surplus Property Utilization specifically authorizes closing of the transaction by the Regional Director; and

(6) Incident to the exercise of the authority hereinbefore provided to receive remittances and performance guarantee deposits and bonds, to request refunds or payments, and to request forfeiture or release of performance bonds.

b. Consistent with the policies and procedures set forth in applicable regulations of the Department, with respect to the disposal of educational and public health purposes of surplus real property improvements and related personal property located outside his jurisdiction, but intended for removal to and use within his jurisdiction, to take actions set forth in a(2), a(3), and a(6) above.

c. Consistent with the policies and procedures set forth in applicable regulations of the Department, with respect to property within his jurisdiction previously conveyed for educational and public health purposes:

(1) To make determinations concerning the utilization and the enforcement of compliance with the terms and conditions of disposal of:

(a) Improvements for removal and use away from the site; and

(b) Land and any improvements thereon regardless of the acquisition and improvement cost;

(2) To accept voluntary reconveyances and to effect reverter of title to land and improvements located thereon, without regard to acquisition cost;

(3) To report to the General Services Administration reversioned properties excess to program requirements in accordance with applicable regulations;

(4) To execute instruments necessary to carry out, or incident to the exercise of, the authority delegated in this paragraph; and

(5) Incident to the exercise of the authority delegated in this paragraph, to receive remittances and performance guarantee deposits and bonds, to request refunds or payments, and to request forfeiture or release of performance bonds.

d. With respect to the States within the jurisdiction of his region, consistent with the policies and procedures of the Department, to enter into cooperative agreements, under section 203(n) of the Act, with State Agencies for Surplus Property.

3. Regional Directors may redelegate in writing the following authority related to personal property to the SPU Regional Representative; the latter may likewise redelegate in writing the authority to the Assistant Regional Representative. Regional Representative may also redelegate in writing to his allocator(s) the authority stipulated in a(1)(a), a(1)(b), and a(1)(c), insofar as a(1)(c) pertains to a(1)(a) and a(1)(b):

a. Consistent with policies set forth in applicable regulations and procedures of the Department.

(1) To perform or take the actions stated below with respect to the allocation for donation of surplus personal property located within his jurisdiction for educational, health, or civil defense purposes.

(a) To make determinations concerning the usability of and need for surplus personal property by educational or health institutions and civil defense organizations;

(b) To allocate surplus personal property and to take all actions necessary to accomplish donation, or transfer of property so allocated;

(c) To make determinations of eligibility of educational and public health donees to acquire donable property;

(d) To designate individuals recommended by State Agencies as State representatives for the purpose of inspecting and screening surplus personal property; and

(e) To execute all instruments, documents, and forms necessary to carry out, or incident to the exercise of, the foregoing authority.

(2) To allocate property within his jurisdiction and to take the actions set forth in (1)(b) above in connection with such out-of-region allocation.

(3) To take the actions set forth in (1)(b)(c) and (e) above in connection with any property that is available for transfer to his jurisdiction from another region.

(4) With respect to personal property located within his jurisdiction and in possession of State agencies for subsequent donation for education, public health, and civil defense purposes;

(a) To effect redistribution of usable and needed property to other State Agencies;

(b) To authorize and execute instruments necessary to carry out cannibalization, secondary utilization, and revision of acquisition cost of property;

(c) To recommend to GSA for disposal, property excess to the needs of State Agencies; and

(5) With respect to personal property located within his jurisdiction previously donated for educational and public health purposes;

(a) To make determinations and take actions appropriate thereto concerning the utilization of such property, including retransfer and the enforcement of compliance with terms and conditions which may have been imposed on and which are currently applicable to such property;

(b) To execute instruments necessary to carry out, or incident to the exercise of, the authority delegated in (a) above;

(c) To recommend to GSA for disposal, property excess to the needs of donees, except boats over 50 feet in length and aircraft;

(d) Incident to the exercise of the authority delegated in this paragraph, to request refunds or payments; and

(e) To authorize and execute instruments necessary to carry out sales, abrogations, revision of the period of restriction, secondary utilization or cannibalization, revision of acquisition cost, trade-in of an item on a similar replacement, and destruction or abandonment of property in the custody of donees.

(6) With respect to the States within the jurisdiction of his region, to approve State plans of operation and amendments thereto submitted by State Agencies for surplus property: Provided, however, that disapproval of a State plan in whole or in part is concurred in by the Director, Office of Surplus Property Utilization.

(7) With respect to the States within the jurisdiction of his region, to enter into cooperative agreements, under section 203(n) of the Act, with State Agencies for surplus property of such States, either individually or collectively.

4. Regional Representatives have been delegated certain authority related to personal property directly by the Director of the Office of Surplus Property Utilization; the authority may be re-delegated in writing to the Assistant Regional Representative:

a. Consistent with policies set forth in applicable regulations and procedures of the Department.

(1) To authorize destruction or abandonment by a determination in writing that the property has no commercial value, subject, however, to approval of such determination in the case of property having a line item acquisition cost of \$1,000 or more, by a reviewing officer before authorization to destroy or abandon is given to the State Agency.

B. Human development. 1. Regional Directors have been delegated the certain authorities by the Assistant Secretary for Human Development as follows:

a. Under the general policies and in such form as prescribed by the Director, Office of Child Development (and approved by the Assistant Secretary for Human Development) and in conformity to the allocations and financial guidelines of the Director, Office of Child Development to make grants under section 222 (a) (1) of the Economic Opportunity Act of 1964 (Project Head Start), except insofar as such grants are for programs which primarily serve migrants or Indians living on Federal reservations. This authority may be redelegated.

b. Under the general policies and in such form as prescribed by the Assistant Secretary for Human Development and in conformance with the allocations and financial guidelines issued by him, Regional Directors are authorized to make grants or contracts under the authority of Title I of the Juvenile Delinquency Prevention Act. The Regional

Director is authorized to redelegate this authority only to the Assistant Regional Director for Human Development without the concurrence of the Assistant Secretary for Human Development.

c. To make, amend, suspend, and cancel the grants and contracts authorized in "a." and "b." above and to issue audit disallowances as well as to receive appeals on and make final decisions on such disallowances.

C. Long term care standards enforcement. 1. Regional Directors have been delegated the following authorities under Title XVIII of the Social Security Act, as amended, which pertain to skilled nursing facility standards enforcement and which may be redelegated only to the Director, Office of Long Term Care Standards Enforcement:

a. To approve or disapprove certifications made by State Agencies under the provisions of section 1864(a), that a health care institution is or is not a skilled nursing facility as defined in section 1861(j);

b. To enter into agreements with skilled nursing facilities as provided in section 1866(a), including authority to determine the term of such agreements;

c. To terminate agreements, under the provisions of section 1866(b)(2)(B), with skilled nursing facilities where such facilities no longer substantially meet the requirements of section 1861(j);

d. To waive, for such periods as are deemed appropriate, specific provisions of the Life Safety Code of the National Fire Protection Association (21st edition, 1967) as provided in section 1861(j)(13);

e. To determine, in accordance with section 1861(j)(13), that the Life Safety Code of the National Fire Protection Association (21st edition, 1967) is not applicable in a State because a fire and safety code, imposed by State law, adequately protects patients in skilled nursing facilities;

f. To waive the requirement that a skilled nursing facility engage the services of a registered professional nurse for more than 40 hours a week as provided in section 1861(j)(15);

g. To waive in accordance with 20 CFR 405.1134(c), for such periods as are deemed appropriate, specific provisions of American National Standards Institute Standard No. A117.1, American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped;

h. To waive, based on regulations, 20 CFR 405.1134(e), requirements relating to the number of beds per room and the minimum size for rooms in skilled nursing facilities; and

i. To determine, under the provisions of section 1864(a), that State Agency survey reports (including reports of follow-up reviews), and statements of deficiencies based upon official survey reports, relating to the certification of skilled nursing facilities for compliance with the applicable provisions of section 1861 are final and official. This includes the authority to: (1) Assure that references to internal tolerance rules and practices are excluded from such reports

or deficiency statements; (2) determine that such reports and deficiency statements have not identified individual patients, physicians, other practitioners, or individuals; (3) determine that involved skilled nursing facilities have been afforded a reasonable opportunity to offer comments; and (4) make final and official reports and deficiency statements available to the public in readily accessible form and place, along with any pertinent written statements submitted by skilled nursing facilities.

2. Regional Directors have been delegated the following authorities under Title XIX of the Social Security Act, as amended, which pertain to nursing facility standards enforcement and which may be redelegated only to the Director, Office of Long Term Care Standards Enforcement:

a. Authority under the provisions of section 1910(b) to notify the State agency administering the Title XIX State plan of the approval or disapproval of any institution which has applied for certification under Title XVIII, and the term of such approval.

b. Authority to waive, for Title XIX skilled nursing facilities for such periods as are deemed appropriate, specific provisions of the Life Safety Code of the National Fire Protection Association (21st edition, 1967) as provided in section 1861(j)(13) of the Social Security Act.

c. Authority to waive for Title XIX skilled nursing facilities the requirement that a skilled nursing facility engage the services of a registered professional nurse for more than 40 hours a week as provided in section 1861(j)(15) of the Social Security Act.

d. Authority vested in the Secretary under section 1905(c) of the Social Security Act to certify intermediate care facilities located on Indian reservations.

e. Authority vested in the Secretary under section 1905(b) of the Social Security Act to certify skilled nursing facilities located on Indian reservations.

Dated: December 31, 1974.

JOHN OTTINA,
Assistant Secretary for
Administration and Management.

[FR Doc. 75-640 Filed 1-7-75; 8:45 am]

Food and Drug Administration
NATIONAL SHELLFISH SAFETY PROGRAM
Availability of Proposed Federal-State
Cooperative Program

Notice is hereby given that a draft of a proposed National Shellfish Safety Program, codified under Parts 950 through 952 of Subchapter I—Federal-State Cooperative Programs in Chapter I of Title 21 of the Code of Federal Regulations, is on display at the office of the Hearing Clerk, Rm. 4-65, Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20852.

Copies of the draft are being furnished to State shellfish control authorities, and the Shellfish Institute of North

America. Other persons interested in obtaining copies of the draft of the proposed regulation should contact the Shellfish Sanitation Branch, Bureau of Foods, Food and Drug Administration, 200 C St. SW., Washington, D.C. 20204.

Any person who wishes to submit comments (in quintuplicate) on the draft to the Hearing Clerk, or to meet with Food and Drug Administration officials, may do so on or before February 13, 1975. Shortly after that date, the proposed regulation, revised as appropriate, will be published in the FEDERAL REGISTER, and an additional 60 days will be provided for submission of comments.

Dated: January 10, 1975.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc. 75-1264 Filed 1-13-75; 8:45 am]

VETERANS ADMINISTRATION
STATION COMMITTEE ON EDUCATIONAL ALLOWANCES
Meeting

Notice is hereby given pursuant to section V, Review Procedure and Hearing Rules, Station Committee on Educational Allowances that on Monday, January 27, 1975, at 10 a.m. e.s.t., the White River Junction Station Committee on Educational Allowances shall at Room G-10, Building 28, Veterans Administration Center, White River Junction, VT, conduct a hearing to determine whether Veterans Administration benefits to all eligible persons enrolled in Burlington Flight School, South Burlington, VT, should be discontinued, as provided in 38 CFR 21.4134, because a requirement of law is not being met or a provision of the law has been violated. All interested persons shall be permitted to attend, appear before, or file statements with the committee at that time and place.

Dated: January 7, 1975.

W. A. YASINSKI,
Director, VA Center,
White River Junction, VT 05001.

[FR Doc. 75-1111 Filed 1-13-75; 8:45 am]

DEPARTMENT OF
TRANSPORTATION

Federal Aviation Administration
TRANSPORTATION OF RADIOACTIVE MATERIALS ON PASSENGER CARRYING AIRCRAFT

Public Hearing

The Hazardous Materials Transportation Act (Title I of Pub. L. 93-633) was signed into law on January 3, 1975. Section 108 of that Act requires regulations to be issued within 120 days prohibiting the transportation of radioactive materials on passenger-carrying aircraft unless those materials are intended for use in, or incident to, research or medical diagnosis or treatment and are packaged

in such a way they do not pose an unreasonable hazard to health and safety.

The Federal Aviation Administration (FAA) is now engaged in developing a notice of proposed rule making to implement this statutory mandate. To meet the requirement for a final rule within 120 days after enactment of section 108 of the Hazardous Materials Transportation Act and to fulfill the various applicable procedural requirements, it will be necessary to issue an NPRM early in February. To assist the FAA in complying with this urgent mandate, a public hearing will be held in the Auditorium at the Federal Aviation Administration Building, 800 Independence Avenue, SW., Washington, D.C. 20591, at 10 a.m. on January 20, 1975. Interested persons are invited to attend and present their views as to the manner in which the new prohibition can best be promptly implemented and any problems that should be anticipated.

This notice is issued under the authority of sections 313(a) and 902(h) of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a) and 1472(h)) and sections 105(a) and 108 of the Hazardous Materials Transportation Act (Pub. L. 93-633).

Issued in Washington, D.C. on January 10, 1975.

R.P. SKULLY,
Director,
Flight Standards Service.

[FR Doc. 75-1348 Filed 1-13-75; 8:45 am]

Federal Railroad Administration

[FRA Waiver Petition No. HS-75-1]

SIERRA RAILROAD CO.

Petition for Exemption From Hours of Service Act

The Sierra Railroad Company has petitioned the Federal Railroad Administration pursuant to 45 U.S.C. 64a(e) for an exemption, with respect to certain employees, from the Hours of Service Act, 45 U.S.C. sections 61, 62, 63 and 64.

Interested persons are invited to participate in this proceeding by submitting written data, views, or comments. Communications should be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, Attention: FRA Waiver Petition No. HS-75-1, Room 5101, 400 Seventh Street, SW., Washington, D.C. 20590. Communications received before February 15, 1975 will be considered before final action is taken on this petition. All comments received will be available for examination by interested persons during business hours in Room 5101 Nassif Building, 400 Seventh Street, SW. Washington, D.C. 20590.

Issued in Washington, D.C. on January 8, 1975.

DONALD W. BENNETT,
Chief Counsel,
Federal Railroad Administration.

[FR Doc. 75-1160 Filed 1-13-75; 8:45 am]

Hazardous Materials Regulations Board SPECIAL PERMITS ISSUED

Pursuant to Docket No. HM-1, Rule-making procedures of the Hazardous Materials Regulations Board, issued May 22, 1968 (33 FR 8277) 49 CFR 170, following is a list of new DOT Special Permits upon which Board action was completed during December 1974.

Special permit No.	Issued to—Subject	Mode or modes of transportation
SP 6871	Union Carbide Corp., Bound Brook, N.J., to ship a flammable and poisonous liquid in DOT Specification MC-307 tank motor vehicle equipped with a flaring device.	Motor vehicle.
SP 6941	Allied Chemical, Morristown, N.J., and Rubicon Chemicals Inc., Gelismar, Louisiana, to ship Toluene Disocyanate in tank motor vehicles having cargo tanks that comply with the design and construction requirements of DOT Specifications MC-304 or 307 and are equipped with external ball valves.	Motor vehicle.
SP 6943	Mason & Hanger-Silas Mason Co., Inc., Amarillo, Texas to ship Triaminotri-nitrobenzene (TATB) as a reagent in accordance with §173.65(d).	Motor vehicle, Rail freight, Rail express.
SP 6946	Badger Welding Supplies, Inc., Madison, Wisconsin, to ship certain nonliquefied compressed gases in accordance with §173.34(e) (15) except cylinders are over 35 years old.	Cargo vessel, Passenger-carrying aircraft, Cargo-only aircraft, Motor vehicle, Rail freight, Rail express.
SP 6947	Celanese Coatings Co. and others to ship certain hazardous materials in non-DOT specification tight head metal drums converted to comply with DOT-17H Specification with certain marking exceptions.	Cargo vessel, Motor vehicle, Rail freight, Rail express.
SP 6948	Valley Chemical Co., Greenville, Miss., Cleveland Chemical Co., Cleveland, Miss., to ship certain organic phosphate compounds and mixtures thereof in DOT Specification 51 steel portable tanks having minimum design pressure of 150 psig.	Motor vehicle.
SP 6951	HTL Industries, Inc., Monrovia, Calif., to ship Nitrogen in circumferentially welded steel cylinders which comply with DOT Specification 3E, with certain exceptions.	Cargo vessel, Passenger-carrying aircraft, Cargo-only aircraft, Motor vehicle, Rail freight, Rail express.
SP 6952	The Sherwin-Williams Company, Cleveland, Ohio, to ship paints and related materials in drums complying with DOT Specification 37A except for markings.	Motor vehicle, Rail freight.
SP 6953	Collier Carbon and Chemical Corp., Los Angeles, Calif., and others to ship hazardous materials in prescribed packaging bearing pre-printed old labels until July 1, 1975.	Motor vehicle, Rail freight.
SP 6954	Kelly Air Force Base, San Antonio, Texas, to ship Monomethyl hydrazine in DOT Specification MC-312 cargo tanks constructed of 304 stainless steel.	Motor vehicle.
SP 6955	United States Atomic Energy Commission, Las Vegas, Nevada to make one-time shipment of Hydrogen in twenty-four non-DOT Specification seamless cylinders made of ASME SA 372 Class IV Steel.	Motor vehicle.
SP 6956	ICC Solvent Chemical Sales Corporation, New York, N.Y., to ship Hydrofluoric acid of not over 70% strength in cylindrical steel overpacks complying with DOT Specification 6D/2SL packaging except for certain marking requirements.	Cargo vessel, Motor vehicle.
SP 6957	Vicksburg Chemical Company, Vicksburg, Miss., to ship Phosphorus trichloride in DOT Specification 103C-W tank cars fabricated from type 430 stainless steel.	Rail freight.
SP 6958	Great Lakes Chemical Corp., West Lafayette, Ind., to ship Elemental bromine in a head lined portable tank manufactured in accordance with DOT Specification MC-312 and ISO standards, and having a design pressure of 150 psig.	Cargo vessel, Motor vehicle.
SP 6959	Stanifer Chemical Company, Westport, Conn., to ship Flammable liquids, n.o.s. in non-DOT Specification 55-gallon steel drums (closed head) of 18 gauge construction and each having a high density polyethylene liner.	Motor vehicle, Rail freight.

ALAN I. ROBERTS,
Secretary.

[FR Doc.75-1185 Filed 1-13-75;8:45 am]

ACTION OFFICE OF DOMESTIC & ANTI-POVERTY OPERATIONS

Mini-Grant Program

1. *Purpose.* ACTION's Mini-Grant Program provides small amounts of money to local organizations for the purpose of mobilizing relatively large numbers of part-time, uncompensated Volunteers to work on human, social and environmental needs, particularly those related to poverty. Volunteers may be reimbursed for out-of-pocket expenses. Projects are to have specific, measurable goals, achievable within a definite time period. Funds may not be used for capital improvement projects. Bicentennial-type activities are allowable, providing such activities are in keeping with the legislative authority for this program and therefore involve only projects concerned with human, social and environmental needs, particularly those related to poverty.

2. *Background.* The Mini-Grant Program provides funds on a one-time, non-renewable basis under the following conditions:

A. Grants must be awarded to private and public, non-profit organizations which have the capability to administer and control the use of grant funds. Grants shall not exceed \$5,000, and those in excess of \$2,000 must be accompanied by cash or in-kind contributions matching the federal amount above \$2,000. Except as permitted by law, federal revenue-sharing funds cannot be used as local contribution.

B. A request for a Mini-Grant must be accompanied by ACTION's Form A-262 (which can be obtained from ACTION's Regional Offices, see list below) and, additionally, must contain the following information:

A brief description of the problem to be addressed.

A description of how ACTION's funds will have an impact on the problem.

The number of Volunteer hours expected to be generated by the grant.

Any additional information required by ACTION's Regional Offices not contained herein.

C. At the end of the grant period, ACTION's Regional Offices must receive a final written report on the outcome of the project.

D. Records requirements imposed on ACTION grantees are applicable.

E. ACTION Regional Offices:

ACTION Region I
John McCormack Federal Bldg.
Room #1420
Boston, Ma. 02109
(617) 223-4297

ACTION Region II
26 Federal Plaza
Room #1609
New York, N.Y. 10007
(212) 284-2900

ACTION Region III
320 Walnut Street
6th Floor
Philadelphia, Pa. 19106
(215) 597-0732

ACTION Region IV
730 Peachtree St., NE.
Room #895
Atlanta, Ga. 30308
(404) 526-3337

ACTION Region V
1 North Wacker Drive
3rd Floor, Room #322
Chicago, Il. 60606
(312) 353-7499

ACTION Region VI
Corrigan Tower Bldg.
Suite #1600
Dallas, Tx. 75201
(214) 749-1361

ACTION Region VII
2 Gateway Center
Kansas City, Ks. 66101
(816) 374-4541

ACTION Region VIII
Prudential Plaza Bldg.
Room #514
Denver, Co. 80202
(303) 837-2671

ACTION Region IX
100 McAllister St.
Room #2400
San Francisco, Ca. 94102
(415) 556-1940

ACTION Region X
1601 2nd Avenue
Seattle, Wn. 98101
(206) 442-1558

JOHN L. GANLEY,
Deputy Director, ACTION.

[FR Doc.75-1112 Filed 1-13-75;8:45 am]

ATOMIC ENERGY COMMISSION

[Docket No. 50-293]

BOSTON EDISON CO.

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Atomic Energy Commission (the Commission) has issued Amendment No. 6 to Facility Operating License No. DPR-35 issued to the Boston Edison Company which revised Technical Specifications for operation of the Pilgrim Nuclear Power Station Unit 1, located in Plymouth, Massachusetts. The amendment is effective as of its date of issuance.

This amendment revises the Technical Specifications (1) to recognize a design modification in the reactor protection system, (2) to delete the extended maintenance provisions, (3) to recognize certain performance characteristics of operating equipment, and (4) to correct errata and clarify certain ambiguous statements found through use of the document.

The applications for the amendment, which are identified in the Commission's related Safety Evaluation, comply with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Ch. I, which are set forth in the license amendment.

For further details with respect to this action, see (1) the applications for amendment identified and discussed in the Commission's related Safety Evaluation, (2) Amendment No. 6 to License No. DPR-35, with any attachments, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Plymouth Public Library, North Street, Plymouth, Massachusetts 02360.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing—Regulation.

Dated at Bethesda, Maryland, this 7th day of January 1975.

For the Atomic Energy Commission,

DENNIS L. ZIEMANN,
Chief, Operating Reactors Branch
No. 2, Directorate of Licensing.

[FR Doc. 75-1178 Filed 1-13-75; 8:45 am]

[Docket No. 50-237]

COMMONWEALTH EDISON CO.

Issuance of Amendment to Facility Operating License

No request for a hearing or petition for leave to intervene having been filed following publication of the notice of proposed action in the Federal Register on October 30, 1974 (39 FR 38274), the Atomic Energy Commission (the Commission) has issued Amendment No. 7 to Facility Operating License No. DPR-19 to the Commonwealth Edison Company (the licensee) for Unit 2 of the Dresden Nuclear Power Station (the facility), a boiling water reactor located in Grundy County, Illinois, and currently authorized for operation at power levels up to 2527 MWt. The amendment is effective as of its date of issuance.

The license amendment authorizes operation of the facility using a partial reload containing 7 x 7 and 7 x 8 fuel assemblies, deletes the restriction im-

posed by Amendment 5, Change 31 for operation with 8 x 8 fuel and approves technical specification changes related to (1) the reload, (2) the core thermal safety limit, and (3) limiting safety system settings, limiting conditions of operation, and surveillance requirements related to fuel cladding integrity.

The Commission has found that the application for the amendment dated August 27, 1974, as supplemented, complies with the requirements of the Atomic Energy Act of 1954, as amended (the Act) and the Commission's rules and regulations published in 10 CFR Chapter I. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Ch. I, which are set forth in the license amendment.

The Commission's Directorate of Licensing has completed its evaluation of the above action and a Safety Evaluation is being issued concurrently with this notice concluding that there is reasonable assurance that the health and safety of the public will not be endangered by the operation of the facility with the changes to the Technical Specifications as authorized by Amendment No. 7 to License No. DPR-19.

Copies of (1) Amendment No. 7 with Change No. 33 to the Technical Specifications of Facility Operating License No. DPR-19, and (2) the Commission's concurrently issued Safety Evaluation are available for public inspection at the Commission's Public Document Room at 1717 H Street NW., Washington, D.C., and at the Morris Public Library, 604 Liberty Street, Morris, Illinois 60670. Single copies of items 1 and 2 may be obtained upon request addressed to the U.S. Atomic Energy Commission, Attention: Deputy Director for Reactor Projects, Directorate of Licensing—Regulation.

Dated at Bethesda, Maryland, this 26th day of December 1974.

For the Atomic Energy Commission,

FREDRIC D. ANDERSON,
Acting Chief, Operating Reactors Branch #2, Directorate
of Licensing.

[FR Doc. 75-1177 Filed 1-13-75; 8:45 am]

[Docket Nos. STN-50-454-457]

COMMONWEALTH EDISON CO.

Notice of Reconstitution of Board

In the matter of Commonwealth Edison Company (Byron Station, Units 1 & 2 and Braidwood Station, Units 1 & 2), Docket Nos. STN-50-454, STN-50-455, STN-50-456, STN-50-457.

Carl W. Schwarz, Esq., was Chairman of the Atomic Safety and Licensing Board established to consider the above applications. Mr. Schwarz, because of a schedule conflict, is unable to continue his service in this proceeding.

By Order of the Commission, Edward Luton, Esq., whose address is Atomic Safety and Licensing Board Panel, U.S.

Atomic Energy Commission, Washington, D.C. 20545, has been appointed Chairman of this Board. Reconstitution of the Board in this manner is in accordance with § 2.721 of the rules of practice, as amended.

Dated at Bethesda, Maryland, this 9th day of January 1975.

ATOMIC SAFETY AND LICENSING
BOARD PANEL,
NATHANIEL H. GOODRICH,
Chairman.

[FR Doc. 75-1181 Filed 1-13-75; 8:45 am]

[Docket Nos. STN 50-498, STN 50-499]

HOUSTON LIGHTING AND POWER CO.

Notice and Order Relative to Prehearing Conference

In the matter of Houston Lighting & Power Company *et al.* (South Texas Project, Units 1 and 2), Docket Nos. STN 50-498, STN 50-499.

Take notice, the Commission published a notice of hearing in the FEDERAL REGISTER on July 19, 1974 (39 FR 26472). No petitions to intervene were filed during the subsequent thirty-(30)-day period. On September 5, 1974, the State of Texas filed a motion for leave to intervene as a participating State pursuant to 10 CFR 2.715(c). The parties responded favorably and the Board admitted the State of Texas as a participant in its Order of September 24, 1974.

It was the opinion of the parties and the State that it would be premature to schedule a prehearing conference prior to the release of the AEC Regulatory Staff's Draft Environmental Statement (DES). The Board concurred that an early prehearing would not be as productive as one scheduled a reasonable time after the release of the DES. That document was released on December 3, 1974.

A prehearing conference will be held in District Courtroom No. 1 (3d Floor) Matagorda County Courthouse, 1700 Seventh Street, Bay City, Texas, on February 6, 1975, commencing at 10 a.m. (local time).

At that time, consideration will be given to the identification of the key issues in the proceeding and to establish a schedule for further actions in the proceeding. The Board intends to visit the site the preceding day.

The public is invited to attend. Limited appearance statements will not be accepted at this proceeding but will be accepted at the commencement of the evidentiary hearing to be scheduled at a later date.

Issued at Bethesda, Maryland, this 9th day of January 1975.

It is so ordered.

For the Atomic Safety and Licensing Board.

ELIZABETH S. BOWERS,
Chairman.

[FR Doc. 75-1180 Filed 1-13-75; 8:45 am]

[Docket Nos. 50-282, 50-306]

NORTHERN STATES POWER CO.**Notice of Evidentiary Hearing**

Order. In the matter of Northern States Power Company (Prairie Island Nuclear Generating Plant, Units 1 and 2), Docket Nos. 50-282, 50-306.

The issue of steam generator tube integrity remains outstanding in this proceeding (ALAB-230). The evidentiary hearing concerning that issue will begin at 9:30 a.m. local time, on Tuesday, January 28, 1975, at the Federal Building and U.S. Courthouse, 5th Floor, Courtroom No. 584, 316 North Robert Street, St. Paul, Minnesota.

Dated at Bethesda, Maryland, this 8th day of January 1975.

It is so ordered.

ATOMIC SAFETY AND LICENSING BOARD,
EDWARD LUTON,
Chairman.

[FR Doc.75-1175 Filed 1-13-75;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket No. 25081]

AMERICAN AIRLINES, INC. AND HUGHES AIRWEST**Notice of Oral Argument Regarding Route Exchange Agreement**

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that oral argument in this proceeding is assigned to be held before the Board on February 5, 1975, at 10:00 a.m. (local time) in Room 1027, Universal Building, 1825 Connecticut Avenue, NW., Washington, D.C.

Dated at Washington, D.C., January 8, 1975.

[SEAL] ROBERT L. PARK,
Chief Administrative Law Judge.

[FR Doc.75-1182 Filed 1-13-75;8:45 am]

CIVIL SERVICE COMMISSION**DEPARTMENT OF DEFENSE****Revocation of Authority To Make Noncareer Executive Assignment**

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Defense to fill by noncareer executive assignment in the excepted service the position of Deputy Assistant Secretary of Defense (Education), Office of the Assistant Secretary of Defense (Manpower and Reserve Affairs), Office of the Secretary of Defense.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.75-1173 Filed 1-13-75;8:45 am]

DEPARTMENT OF JUSTICE**Revocation of Authority To Make Noncareer Executive Assignment**

Under authority of § 9.20 of the Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Justice to fill by noncareer executive assignment in the excepted service the position of Assistant Administrator, Office of Public Information and Congressional Liaison, Law Enforcement Assistance Administration, Office of the Administration.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.75-1174 Filed 1-13-75;8:45 am]

DEPARTMENT OF THE TREASURY**Grant of Authority To Make Noncareer Executive Assignment**

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of the Treasury to fill by noncareer executive assignment in the excepted service the position of Executive Assignment to the Secretary, Immediate Office, Office of the Secretary.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.75-1171 Filed 1-13-75;8:45 am]

DEPARTMENT OF THE TREASURY**Revocation of Authority To Make Noncareer Executive Assignment**

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of the Treasury to fill by noncareer executive assignment in the excepted service the position of Deputy to the Assistant Secretary for Administration, Immediate Office, Office of the Assistant Secretary for Administration.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.75-1170 Filed 1-13-75;8:45 am]

FEDERAL ENERGY ADMINISTRATION**Grant of Authority To Make Noncareer Executive Assignment**

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Federal Energy Administration to fill by noncareer executive assignment in the excepted service the position of Director

of Intergovernmental Relations, Office of Intergovernmental, Regional and Special Programs.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.75-1172 Filed 1-13-75;8:45 am]

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES**Grant of Authority To Make Noncareer Executive Assignment**

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the National Foundation on the Arts and the Humanities to fill by noncareer executive assignment in the excepted service the position of Assistant Chairman/Management, National Endowment for the Arts.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.75-1169 Filed 1-13-75;8:45 am]

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES**Revocation of Authority To Make Noncareer Executive Assignment**

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the National Foundation on the Arts and the Humanities to fill by noncareer executive assignment in the excepted service the position of Director of Performing Arts and Public Media Programs, Office of Performing Arts and Public Media Programs, National Endowment for the Arts.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.75-1168 Filed 1-13-75;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 319-6; OPP-32000/168]

NOTICE OF RECEIPT OF APPLICATIONS FOR PESTICIDE REGISTRATION**Data To Be Considered in Support of Applications**

On November 19, 1973, the Environmental Protection Agency (EPA) published in the FEDERAL REGISTER (38 FR 31862) its interim policy with respect to the administration of Section 3(c)(1)(D) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This policy provides that EPA will, upon receipt of every application

for registration, publish in the FEDERAL REGISTER a notice containing the information shown below. The labeling furnished by the applicant will be available for examination at the Environmental Protection Agency, Room EB-31, East Tower, 401 M Street, SW., Washington, D.C. 20460.

On or before March 17, 1975, any person who (a) is or has been an applicant, (b) believes that data he developed and submitted to EPA on or after October 21, 1972, is being used to support an application described in this notice, (c) desires to assert a claim for compensation under Section 3(c)(1)(D) for such use of his data, and (d) wishes to preserve his right to have the Administrator determine the amount of reasonable compensation to which he is entitled for such use of the data, must notify the Administrator and the applicant named in the notice in the FEDERAL REGISTER of his claim by certified mail. Notification to the Administrator should be addressed to the Information Coordination Section, Technical Services Division (WH-569), Office of Pesticide Programs, 401 M Street, SW., Washington, D.C. 20460. Every such claimant must include, at a minimum, the information listed in the interim policy of November 19, 1973.

Applications submitted under 2(a) or 2(b) of the interim policy will be processed to completion in accordance with existing procedures. Applications submitted under 2(c) of the interim policy cannot be made final until the 60 day period has expired. If no claims are received within the 60 day period, the 2(c) application will be processed according to normal procedure. However, if claims are received within the 60 day period, the applicants against whom the claims are asserted will be advised of the alternatives available under the Act. No claims will be accepted for possible EPA adjudication which are received after March 17, 1975.

APPLICATIONS RECEIVED

EPA File Symbol 2749-GOL. Aceto Chem. Co., Inc., Agricultural Chem. Div., 126-02 N. Blvd., Flushing NY 11368. ACETO'S DIUSIM 80WP WEED KILLER. Active Ingredients: Diuron (3-(3,4-Dichlorophenyl)-1,1-dimethylurea) 40%; Simazine (2-Chloro-4,6-bis(ethylamino)-s-triazine) 40%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 6233-RT. Amador Chem. Corp., 1640 N. Broadway St., PO Box 4081, Stockton CA 95205. AMADOR ALGAECIDE. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 5%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 2997-RL. Burris Chem. Inc., PO Box 4936, Charleston SC 29405. CHLORINE. Active Ingredients: Chlorine 100%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 7478-ET. Chem Pak Co., PO Box 430757, Miami FL 33143. KELTHANE AGRICULTURAL MITICIDE EMULSIFIABLE CONCENTRATE. Active Ingredients: 1,1-bis (chlorophenyl) 2,2,2-Trichloroethanol 18.5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 7478-EO. Chem-Pak Co., PO Box 430757, Miami FL 33143. C MILDEX POWDER MILDWE ERADICANT AND PROTECTANT. Active Ingredients: Dinitro (1-methylheptyl) phenyl crotonate 22.5%; Dinitro (1-methylheptyl) phenol and related compounds 2.5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 1660-TR. Chemical Specialties Co., Inc., 51-55 Nassau Ave., Brooklyn NY 11222. DIRECTIONAL DRO INJECTOR-FINDER PRESSURIZED LIQUID SPRAYS ONLY WHERE YOU AIM. Active Ingredients: Petroleum Distillate 95.353%; Beta-butoxy beta thioxyano diethyl ether 1.06%; O,O-diethyl - O - (2-isopropyl-6-methyl-4-pyrimidinyl) thiophosphate 0.50%; Technical Piperonyl Butoxide 0.062%; Pyrethrins 0.025%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 35132-R. Custom-Pak, Inc., 14800 Miles Ave., Cleveland OH 44128. CUSTOM PAK HI-CIDE 100 DISINFECTANT TOILET BOWL CLEANER. Active Ingredients: Octyl decyl dimethyl ammonium chloride 1.250%; Dioctyl dimethyl ammonium chloride 0.625%; Diethyl dimethyl ammonium chloride 0.625%; Alkyl amino betaine 1.000%; Hydrogen chloride 8.000%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA Reg. No. 352-270. E. I. Du Pont De Nemours & Co., Inc., 7056 Dupon Bldg., Wilmington DE 19898. "LOROX" LINURON WEED KILLER. Active Ingredients: Linuron [3-(3,4-dichlorophenyl)-1-methoxy-1-methylurea] 50%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 3770-GRL. Economy Products Co., Inc., PO Box 427, Shenandoah IA 51601. DY-FLY DAIRY SPRAY PRESURIZED. Active Ingredients: Pyrethrins 0.5%; Piperonyl Butoxide, Technical 5.0%; Petroleum Distillate 2.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 5905-UGN. Helena Chemical Co., Clark Tower, 5100 Poplar Ave., Suite 2900, Memphis TN 38137. HELENA GRAIN PRESERVER 100. Active Ingredients: Propionic Acid 100%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 334-GTL. Hysan Corp., 919 W. 38th St., Chicago IL 60609. AIR GLY-2 GLYCOL-IZED AIR SANITIZER-DEODORIZER. Active Ingredients: Isopropyl Alcohol 11.00%; Triethylene Glycol 3.20%; Propylene Glycol 2.70%; Diisobutylresoxethoxyethyl dimethyl benzyl ammonium chloride 0.168%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 8776-U. Johnson Nurseries Inc., PO Box 411, Dexter NY 13634. SCENT-OFF PELLETS FOR LAWNS, GARDENS AND KENNEL RUNS. Active Ingredients: Oil of Lemongrass 2%; Oil of Citronella 1.2%; Allyl iso thio cyanate (imitation oil of mustard) 0.2%; Blend of Oil of Orange, Methyl Salicylate, Geraniol, Ionone Alpha and Oil of Bergamot 0.2%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 635-112. E-Z-Flo Chem Co., Div. of Kisto Co., PO Box 808, Lansing MI 48903. E-Z FLO VEGA-GUARD SPECIAL VEGETABLE SPRAY OR DUST. Active Ingredients: Malathion (O,O-dimethyl dithiophosphate of diethyl mercaptosuccinate) 5.00%; Zineb (zinc ethylene bis-dithiocarbamate) 10.00%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 8901-RT. Kocide Chemical Corp., PO Box 45539, Houston TX 77045. KOCIDE SD SEED DRESSING AGRICULTURAL FUNGICIDE. Active Ingredients: Cupric Hydroxide 30%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 1812-ERL. Parramore & Griffin, 105 Boone Rd., Valdosta GA 31601. SUL-CO-FLO PEE GEE. Active Ingredients: Sulfur (as S) 50.0%; Copper (as Metallic) 4.4%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 476-2150. Stauffer Chem. Co., 1200 S. 47th St., Richmond CA 94804. DEV-RINOL 2-E. Active Ingredients: 2-(alpha-naphthoxy) - N,N - diethylpropanamide 21.8%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 984-83. Whitmoyer Lab., Inc., 19 N. Railroad St., Myerstown PA 17067. DLP-787 KILLS RATS AND MICE. Active Ingredients: N-3-pyridylmethyl N'-p-nitrophenyl urea 2%. Method of Support: Application proceeds under 2(a) of interim policy.

REPUBLISHED ITEMS

The following items represent a correction in the List of Applications Received published in the FEDERAL REGISTER of December 20, 1974 (39 FR 44068).

EPA File Symbol 3246-G. Jamestown Chem. Co., PO Box 68, Trumbull CT 06611. B-105. Method of Support: Application proceeds under 2(b) of interim policy rather than 2(d) as published.

EPA File Symbol 1969-RRRL. Parsons Chemical Works, Inc., PO Box 146, Grand Ledge MI 48837. PARSONS KAL-ZOO WETTABLE POWDER INSECTICIDE-FUNGICIDE. Originally published as EPA File Symbol 1969-RRRL.

EPA File Symbol 168-UOL. Wasatch Chemical Div., Entrada Ind. Inc., PO Box 6219, Salt Lake City UT 84106. WASO CAPTAN 5 DUST. Method of Support: Application proceeds under 2(a) of interim policy rather than 2(c) as published.

Dated: January 6, 1975.

MARTIN H. ROGOFF,
Acting Director,
Registration Division.

[FR Doc.75-1073 Filed 1-13-75; 8:45 am]

[FRL 320-6]

GUIDELINES FOR APPLICATION FOR SUSPENSION OF 1977 HC AND CO EMISSION STANDARDS

Required Information Concerning the Interrelationship Between Fuel Economy and Emission Standards

On December 3, 1974, guidelines were published in the FEDERAL REGISTER (30 FR 41899) for applications for suspension of the statutory 1977 hydrocarbons and carbon monoxide emission standards. Section 202(b)(5)(A) of the Clean Air Act, hereinafter the "Act" as amended by the Energy Supply and Coordination Act of 1974, P.L. 93-319, 88 Stat 246 provides that any time after January 1, 1975, any motor vehicle manufacturer may file such an application with the Administrator of the Environmental Protection Agency. Section 202(b)(5)(C) of the Act specifies that within sixty (60) days after receipt of an application, and after public hearing, the Administrator shall issue a decision

granting or refusing such suspension. In response to notification by several manufacturers that they intended to file application, EPA announced in the January 2 FEDERAL REGISTER (40 FR 21) that a public hearing to consider such applications would be held at the Thomas Jefferson Memorial Auditorium, United States Department of Agriculture, 14th and Independence Avenue, S.W., Washington, D.C., and would commence no later than 10 a.m. on January 21, 1975.

The Administrator has indicated publicly (press conference of November 27, 1974) that he plans to also use that hearing to develop information on what changes in the Act, if any, might be necessary and acceptable if the auto companies are to meet the fuel economy improvement goals called for by the President. In the January 2 Hearing Notice, it was announced that the scope of the hearing was being so expanded under authority of section 202(b)(4) of the Act, which requires the Administrator to report annually to Congress on issues that arise in connection with the motor vehicle control provisions of the Act. The same authority to issue subpoenas and administer oaths that is available in suspension proceedings is also provided in section 202(b)(4). Under this authority, production of information relevant to potential legislative changes may be required even though it might not be relevant to the decision on the suspension applications.

The material set out below both supplements the December 3 guidelines and implements the January 2 Notice announcement concerning the expanded scope of the hearing. It establishes the information that is required relating to the question of the interrelationships between the control of emissions and fuel economy. This supplement is applicable to all motor vehicle manufacturers who have been required by subpoena to testify at the hearing, including those who have chosen not to file an Application for Suspension under section 202(b)(5)(A). Manufacturer response has been made mandatory under the subpoena power of section 307(a)(1) of the Act, as it relates to section 202(b)(4). Publishing of this supplement serves to correct a statement made in the final paragraph of the January 2 Notice that supplemental guidelines were published with that Notice.

All information submitted pursuant to this Supplement will be available for public inspection in the Freedom of Information Center, Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460, except to the extent a request for confidential treatment has been granted in accordance with the December 3 guidelines.

Questions on the supplemental guidelines published today may be addressed to the Director of the Mobile Source Enforcement Division, Environmental Protection Agency, 401 M Street, S.W. Wash-

ington, D.C. 20460, or at telephone number 202-755-0297.

Dated: January 8, 1975.

ALAN G. KIRK II,
Assistant Administrator for
Enforcement and General Counsel.

FUEL ECONOMY INFORMATION GUIDELINES

JANUARY 1975

I. Introduction. Pursuant to section 202(b)(4) of the Clean Air Act, as amended, the Administrator requests that the motor vehicle manufacturers submit information concerning the issue of fuel economy, regardless of whether they also intend to file applications for suspension under section 202(b)(5)(A). The required hearing on suspension has been expanded in scope to receive testimony on this subject.

In order to provide the Agency with information that will enable it to properly evaluate all of the issues that bear on the expanded scope of the hearing, manufacturers are required to submit the information specified in section II. The manufacturers are in general instructed to predict, on the basis of both actual tests and engineering judgment, how they would achieve the President's fuel economy goal, given a framework of various emission standards within which to work. This information will aid the Agency in the development of a public record to use to evaluate and consider in formulating positions and recommendations to Congress concerning future emission standards.

Inasmuch as a hearing to gather information under Section 202(b)(4) is also a proceeding under the Act, the same restrictions concerning the confidential treatment of information as were delineated in original guidelines will also apply to submissions made pursuant to this supplement.

The responses required herein shall be submitted under separate cover, bound separately from the Application for Suspension document, where applicable. Each manufacturer is required to submit a minimum of ten (10) copies. Such copies shall be sent to the Mobile Source Enforcement Division, Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460, not later than five (5) days prior to the scheduled date for testifying by each manufacturer.

II. The interrelationships between emission control and fuel consumption, especially as they pertain to attaining the goal of a 40% increase in fuel economy by 1980. The respondent shall provide the required information in sufficient detail to indicate how it would plan to achieve the fuel economy goal, while also meeting various sets of emission standards. As indicated in II. A, below, the required information is to be submitted for each model year from 1976 through 1980, for each of the appropriate sets of possible emission standards from the following list:

1. 1.5 HC, 15.0 CO, 3.1 NOx.
2. 0.9 HC, 9.0 CO, 3.1 NOx.
3. 0.9 HC, 9.0 CO, 2.0 NOx.
4. 0.9 HC, 9.0 CO, 1.0 NOx.
5. 0.41 HC, 3.4 CO, 3.1 NOx.
6. 0.41 HC, 3.4 CO, 2.0 NOx.
7. 0.41 HC, 3.4 CO, 1.0 NOx.
8. 0.41 HC, 3.4 CO, 0.4 NOx.

All standards are in grams per mile, as measured with the 1975 FTP.

A. The information required by 1.-4. below shall be provided, assuming applicable standards according to the following table:

Model year:	Sets of standards
76	1 and 3.
77	1, 2, 3, 5, and 6.
78-80	1 to 8.

1. A description of the anticipated model line for that model year, including each pres-

ently existing car line (per SAE J218) and car lines planned for these model years which do not exist currently. The manufacturer shall list the percent of its total sales estimated for each car line, its estimate of the total industry sales for that year and its estimated percentage of total U.S. sales for that year (including imported vehicles).

2. For each car line, a list of the engine displacement/inertia weight classification and a description of the specific fuel economy improvements which would be introduced for that year. Improvements described must be specific and grouped into the following three general categories:

(a) Improvements to Reduce Power Requirements. This includes but is not limited to: weight reduction, rolling resistance reduction, aerodynamic drag reduction, and accessory power demand reduction;

(b) Improvements to Increase Driveline Efficiency. This includes, but is not limited to: transmission improvements (additional gears and or lockup, for example), axle ratio changes and torque converter modification; and

(c) Improvements to Increase Engine Efficiency. This includes, but is not limited to: engine spark timing calibration, air/fuel ratio, and installed horsepower changes. List any non-standard engines planned for introduction, such as stratified charge engines, diesel engines or boosted engines.

3. For each of the improvements listed in II.A.2. above, a description of the effect directionally and/or quantitatively on the exhaust emissions of HC, CO, and NOx.

4. For each of the improvements listed in II.A.2. above, a list of the manufacturing (OEM) cost, the sticker price and the tooling cost associated with that specific improvement.

B. A description of the first choice emission control system for each case described in II.A.2. above shall be provided for each of the appropriate sets of emission standards, and an estimate shall be given of its fuel economy performance on the EPA urban and highway driving cycles.

C. A total system cost shall be provided for each system described in II.B. above, listing the cost due to fuel economy improvements separately. The costs provided shall include OEM, sticker and tooling costs.

[FR Doc.75-1206 Filed 1-13-75; 8:45 am]

[FRL 320-7; OPP-32010]

PESTICIDES

Notice of Receipt of Application To Register Product Containing DDT

On December 12, 1974, the Environmental Protection Agency (EPA) received an application to register a pesticide product containing DDT. Application was made pursuant to the provisions of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 973), by the Michigan Department of Public Health, 3500 North Lofan, Lansing, Michigan 48914, for the product LPD-TEN. LPD-TEN is proposed for use by, and distribution only to, U.S. Public Health Service officials or distribution by, or on approval of the Public Health Service to, other Health Service officials for use in pest control programs in association with the control of vector borne diseases (i.e., for control of infestations with *Pediculus h. capitis* (head louse), *Pediculus h. humanus* (body louse), *Phthirus pubis* (crab louse), and *Sarcoptes scabiei* (scabies)).

This notice does not indicate a decision by the Agency on the application.

Any Federal Agency or other interested party may comment in writing on this application. Written comments should be addressed to the Federal Register Section, Technical Services Division (WH-569), Office of Pesticide Programs, Environmental Protection Agency, Room 423, East Tower, 401 M Street, SW, Washington DC 20460. Three copies of the comments should be submitted to facilitate the work of the EPA and others interested in inspecting the document. The comments must be received within 30 days from the publication of this notice and should bear a notation indicating the subject (OPP-32010). All written comments filed pursuant to this notice will be available for public inspection in the office of the Federal Register Section from 8:30 a.m. to 4 p.m. Monday through Friday.

Dated: January 8, 1975.

EDWIN L. JOHNSON,
Acting Deputy Assistant
Administrator for Pesticide Programs.
[FR Doc.75-1207 Filed 1-13-75; 8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

RADIO TECHNICAL COMMISSION FOR AERONAUTICS Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of a meeting of the Radio Technical Commission for Aeronautics Special Committee 127—Emergency Locator Transmitters. It is to be held on January 29, 1975, in Conference Room 6332, Nassif Building, 400 Seventh Street, SW., Washington, D.C., commencing at 9 a.m.

AGENDA

1. Opening Remarks:
 - a. RTCA Secretariat.
 - b. U.S. Coast Guard.
2. ELT Engineering Update. FAA ELT Coordinating Committee.
3. Terms of Reference Discussion.
4. Formation of Task Groups.
5. Task Group familiarization meeting (Separate meetings to select Task Group Chairmen).
6. Development of milestone chart (Combined session).
7. Other Business.
8. Date and place of next meeting.

The meeting is open to the public on a space available basis. Any member of the public may file a written statement with the Commission either before or after the meeting. Any member of the public wishing to make an oral statement must consult with the Commission prior to the meeting.

Those desiring to attend the meeting or more specific information should contact the RTCA Secretariat, Suite 655, 1717 H Street SW., Washington, D.C. 20006, or phone area code (202) 296-0484.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.
[FR Doc.75-1288 Filed 1-13-75; 8:45 am]

[Docket Nos. 20268-20270; File Nos.
BPH-8250, etc.]

TOWN AND COUNTRY RADIO, INC., ET AL.

Applications for Construction Permits; Correction

In re applications of Town and Country Radio, Inc., Suffolk, Virginia, Requests: 106.9 MHz; Channel #295; 100 kW (H&V); 935 feet, Docket No. 20268, File No. BPH-8250; John Laurino, Gordon L. Hood and Vernon S. Lee, d/b/a Voice of the People, Suffolk, Virginia, Requests: 106.9 MHz; Channel #295; 100 kW (H&V); 937 feet, Docket No. 20269, File No. BPH-8405; Tidewater Sounds, Inc., Suffolk, Virginia, Requests: 106.9 MHz; Channel #295; 100 kW (H&V); 755 feet, Docket No. 20270, File No. BPH-9036, for construction permits.

On December 20, 1974, the Commission, by the Chief of the Broadcast Bureau, acting pursuant to delegated authority, designated the above applications for hearing. However, the standard comparative issue and the ultimate issue were inadvertently omitted from the order as released. Accordingly, the following issues will be added to the hearing order:

3. To determine which of the proposals would, on a comparative basis, best serve the public interest; and
4. To determine, in light of the evidence adduced pursuant to all the designated issues, which, if any, of the applications should be granted.

Released: January 8, 1975.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc.75-1287 Filed 1-13-75; 8:45 am]

FEDERAL POWER COMMISSION

[Docket No. ID-1745]

BURNS, RICHARD M.

Initial Application

JANUARY 8, 1975.

Take notice that on November 29, 1974, Richard M. Burns (Applicant) filed an initial application with the Federal Power Commission. Pursuant to section 305 (b) of the Federal Power Act, Applicant seeks authority to hold the following positions:

Assistant Treasurer—Blackstone Valley Electric Company, Public Utility.
Treasurer—Brockton Edison Company, Public Utility.
Treasurer—Fall River Electric Light Company, Public Utility.

Blackstone Valley Electric Company ("Blackstone"), a Rhode Island corporation having its principal place of business on Washington Highway, Lincoln, Rhode Island, owns and operates facilities for the generation, transmission and distribution of electric energy at retail in and around Pawtucket, Woonsocket, Central Falls, Cumberland, and Lincoln, Rhode Island. Blackstone also supplies electric energy to Pascoag Fire District (a municipal electric system) for resale. Most of the energy sold by Blackstone

is purchased from Montaup Electric Company.

Brockton Edison Company ("Brockton"), a Massachusetts corporation having its principal place of business at 36 Main Street, Brockton, Massachusetts, owns and operates facilities for the transmission and distribution of electric energy at retail in the city of Brockton and 16 surrounding towns in Massachusetts. Brockton also supplies electric energy to Newport Electric Corporation and the Town of Middleborough for resale. Most of the energy sold by Brockton is purchased from Montaup Electric Company.

Fall River Electric Light Company ("Fall River"), a Massachusetts corporation having its principal place of business at 85 North Main Street, Fall River, Massachusetts, owns and operates facilities for the distribution of electric energy at retail in the city of Fall River and in neighboring towns of Swansea, Somerset, the major part of Dighton, and a part of Westport, all in Massachusetts. Fall River also supplies electric energy to The Narragansett Electric Company for resale. Most of the energy sold by Fall River is purchased from Montaup Electric Company.

Montaup Electric Company ("Montaup"), a Massachusetts corporation having its principal place of business in Somerset, Massachusetts, owns and operates facilities in that town for the generation of electric energy and facilities in Somerset and elsewhere in Massachusetts for the transmission of such energy. Most of the electric energy which it generates, together with additional energy which it purchases, is sold to Blackstone, Brockton and Fall River which companies together own all of Montaup's outstanding securities except short-term notes.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 20, 1975 file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1143 Filed 1-13-75; 8:45 am]

[Docket No. E-9072]

CITIZENS UTILITIES CO.

Notice of Application

JANUARY 8, 1975.

Take notice that on October 15, 1974, Citizens Utilities Company (Applicant),

filed an application pursuant to section 204 of the Federal Power Act seeking authorization to negotiate with underwriters regarding the proposed sale of \$30 to \$40 million aggregate principal amount of First Mortgage and Collateral Trust Bonds via negotiated sale. By letter dated November 7, 1974, the Commission authorized the Applicant to engage in negotiations with underwriters for the sale of the new bonds.

Applicant on December 23, 1974, submitted evidence of having negotiated with eight prospective underwriters active in the underwriting of public utility securities. The Applicant has selected Goldman, Sachs & Company, Inc., and Merrill Lynch, Pierce, Fenner & Smith, Incorporated as co-managers for the sale of the securities. The selection of the abovementioned firms was based significantly on their indicated yield to the public and in part on other considerations.

Applicant indicates that a formal application for authority to issue securities pursuant to section 204 of the Federal Power Act will be filed shortly.

Applicant is incorporated under the laws of the State of Delaware and is qualified to do business in the States of Arizona, Colorado, Connecticut, Hawaii, Idaho and Vermont.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 30, 1975, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and is available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1113 Filed 1-13-75;8:45 am]

[Docket No. RP73-65, PGA75-4]

COLUMBIA GAS TRANSMISSION CORP.

Proposed Changes in FPC Gas Tariff

JANUARY 7, 1975.

Take notice that Columbia Gas Transmission Corporation (Columbia) on December 31, 1974, tendered for filing proposed changes in its FPC Gas Tariff, Original Volume No. 1. The proposed changes to be effective February 1, 1975, provide purchased gas adjustments to recover increased costs of gas purchased from pipeline suppliers of \$12,862,508 annually.

Copies of the filing were served upon the Company's jurisdictional customers and interested state commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 23, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1114 Filed 1-13-75;8:45 am]

[Docket No. CP71-68, etc.]

COLUMBIA LNG CORP. ET AL.

Petition for Declaratory Order

JANUARY 7, 1975.

Take notice that on December 19, 1974, Fairfax County, Virginia (Petitioner), filed in Docket No. CP71-68, et al., a petition for a declaratory order affirming and clarifying ordering paragraph (F) (3) of the Commission's order accompanying Opinion No. 622 (47 FPC 1624), issued in the subject docket on June 28, 1972, as affirmed by the order accompanying Opinion No. 622-A issued on October 5, 1972 (48 FPC 723), with respect to the exercise of jurisdiction by affected state and local authorities, all as more fully set forth in the petition, which is on file with the Commission and open to public inspection.

By the order accompanying Opinion No. 622 the Commission authorized Columbia LNG Corporation (Columbia) and related companies to import liquefied natural gas and to construct related pipeline facilities, including a pipeline to be constructed through Fairfax County. Ordering paragraph (F) (3) of said order conditions the authorization to the securing of all necessary Federal, state and local authorizations.

Petitioner states that the Urban County Board of Supervisors of Fairfax County (Board of Supervisors) and the Fairfax County Planning Commission (Planning Commission) are vested with comprehensive planning authority for Fairfax County and that approval of the proposed pipeline by the Board of Supervisors and the Planning Commission is one of the authorizations upon which the certificate granted in Opinion No. 622 is conditioned. Petitioner further states authorization must be obtained by Columbia from the Fairfax County Board of Zoning Appeals (Zoning Board), which is vested with jurisdiction to issue or deny special permits for the routing and construction of facilities through Fairfax County.

Petitioner relates that in May 1974 Columbia filed applications for approval

of its proposed route with the Planning Commission and the Zoning Board and that, due to the complexity and importance of the issues presented and because Columbia's application does not provide sufficient documentation relevant to some of those issues, the Planning Commission has not yet completed its analysis of Columbia's application and has not yet rendered a decision on it.

Petitioner further relates that on December 6, 1974, Columbia filed suit in the United States District Court for the Eastern District of Virginia alleging that Petitioner is attempting unlawfully to regulate construction and operation in Fairfax County of a federally-certificated interstate natural gas pipeline and that Petitioner's efforts to evaluate the proposed pipeline are in direct contravention of the power and jurisdiction of the Federal Power Commission in that the specific route through Fairfax County was specifically authorized and certificated by the Federal Power Commission. Petitioner states that Columbia has asked the court to enjoin Petitioner from further exercising its jurisdiction over the pipeline, or in the alternative, to order the issuance of permits for the pipeline.

Petitioner contends that by the court action Columbia has challenged the clear language of the orders accompanying Opinion Nos. 622 and 622-A and has put into controversy the clear meaning of said orders and the intent of the Federal Power Commission in conditioning its action on the reasonable exercise of jurisdiction by local governing bodies such as Petitioner. Petitioner states that, in view of the serious issues neither fully explored or documented in earlier proceedings before the Commission nor sufficiently addressed by Columbia's application now pending before the Planning Commission, Petitioner is convinced that serious questions of fact remain concerning the impact of Columbia proposed pipeline and that there may be possible certain modifications or alternatives to the proposed route which will better protect the interests of Petitioner's citizens. Petitioner describes, as examples of issues raised, implications for patterns of erosion, sedimentation, and infiltration of the Occoquan watershed, which supplies drinking water for over 500,000 residents of Fairfax County, and the impact of the pipeline on the environmentally sensitive area of Mason Neck and particularly on the habitat of the southern bald eagles nesting there.

Accordingly, Petitioner requests that the Federal Power Commission issue a declaratory order reaffirming the conditions imposed by the orders accompanying Opinion Nos. 622 and 622-A and clarifying its intent with respect to the exercise of jurisdiction by affected state and local authorities, such as the Board of Supervisors, the Planning Commission and the Zoning Board.

Any person desiring to be heard or to make any protest with reference to said petition should on or before January 20,

1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1115 Filed 1-13-75;8:45 am]

[Docket No. CP71-290, etc.]

CONSOLIDATED SYSTEM LNG CO.

Extension of Time

JANUARY 7, 1975.

On December 31, 1974, Staff Counsel filed a motion to extend the time for filing reply comments to the initial decision of the Administrative Law Judge as fixed by the hearing of December 10, 1974, in the above designated matter. The motion states that Maryland's Department of Natural Resources, Consolidated System LNG Company, and the County of Loudoun, Virginia have no objection and that other parties could not be reached but were served with this motion.

Upon consideration, notice is hereby given that the time for filing reply comments in the above matter is extended to January 17, 1975.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1116 Filed 1-13-75;8:45 am]

[Docket No. E-9142]

DETROIT EDISON CO.

Amendment to Coordination Agreement

JANUARY 8, 1975.

Take notice that on November 29, 1974, the Detroit Edison Company (Edison) tendered for filing revisions to the Electric Coordination Agreement between Edison and Consumers Power Company (Consumers). Two of the revisions reflect changes in designated generating facilities, and the result of these changes is an adjustment in the charge for reserved capacity. A third revision deals with specified quantities for installed capability, planned seasonal installed reserved percentage and winter peak-load. The fourth revision sets out proposed changes in capacity charges.

Edison respectfully requests that the Commission waive the notice requirements contained in § 35.3 of the Commission's regulations and permit the above described amendment to become effective on October 28, 1974.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 20, 1975, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1117 Filed 1-13-75;8:45 am]

[Docket No. CI75-381]

DOW CHEMICAL CO.

Notice of Application

JANUARY 7, 1975.

Take notice that on December 16, 1974, The Dow Chemical Company (Applicant), P.O. Box 3387, Houston, Texas 77001, filed in Docket No. CI75-381 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to Mid Louisiana Gas Company (Mid Louisiana) from its McMoran-LL&E "C" No. 1 Well in the Biscuit Bayou Area, and its Clark Oil-C. Ellis Henican, et al., No. 1 Well in the Palmetto Bayou Area, both located in Terrebonne Parish, Louisiana, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it has commenced the sale of natural gas to Mid Louisiana within the contemplation of § 157.29 of the regulations under the Natural Gas Act (18 CFR 157.29) and proposes to continue said sale through December 31, 1975, from the end of the emergency period within the contemplation of § 2.70 of the Commission's General Policy and Interpretations (18 CFR 2.70). Applicant proposes to sell approximately 12,000 Mcf of gas per day to Mid Louisiana at 72.79 cents per Mcf at 15.025 psia, with 65.79 cents of the price subject to upward and downward Btu adjustment from a base of 1,000 Btu per cubic foot.¹ The application indicates that this rate equates to 150 percent of the national rate provided by § 2.56a of the Commission's General Policy and Interpretations (18 CFR 2.56a).

Applicant alleges, in support of its position that the proposed rate is the

¹ 7.0 cents of the proposed price is said to be tax reimbursement.

lowest price that this particular supply of gas may be obtained by the interstate market as required by Opinion No. 699-B, that Applicant and all its co-owners qualify as small producers and the contract price was agreed to only after the Commission issued its notice of proposed rulemaking in Docket No. R-393 on September 9, 1974, wherein it is proposed to permit small producers lawfully to collect rates so determined, that the contract rate is less than the rates currently paid for new gas sold in intrastate commerce, and that its proposed price is less than the value of the gas if it were made available to Applicant's petrochemical plant. Applicant indicates that it is extensively engaged in acquiring natural gas for use as feedstock and fuel in its petrochemical plant located in Plaquemine, Iberville Parish, Louisiana; that its interest in the production from the above two wells was acquired for that purpose; and that its willingness to commit this gas to the interstate market is entirely dependent upon the production from the wells being again available for that original purpose after December 31, 1975.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 27, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1118 Filed 1-13-75;8:45 am]

[Docket No. E-9157]

DUKE POWER CO.**Filing Supplement to Contract With
York Cooperative, Inc.**

JANUARY 7, 1975.

Take notice that on December 9, 1974, Duke Power Company tendered for filing supplements to its Electric Power Contract with York Electric Cooperative, Inc. These supplements reflect the CEPA reallocation to delivery point No. 2 and CEPA allocation to delivery point No. 11 pursuant to the above mentioned contract.

Waiver of the Commission's notice requirements is requested in order that the above described supplements can be made effective on December 20, 1974.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 20, 1975, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to the proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1121 Filed 1-13-75;8:45 am]

[Docket No. E-9158]

DUKE POWER CO.**Filing Supplement to Contract with the
City of Easley, South Carolina**

JANUARY 7, 1975.

Take notice that on December 9, 1974 Duke Power Company tendered for filing three supplements to its Electric Power Contract with the City of Easley, South Carolina. These supplements reflect CEPA reallocation to delivery point No. 1 and 2 and CEPA allocation to delivery point No. 3.

Waiver of the Commission's notice requirements is requested in order that the supplements described above can be made effective on December 20, 1974.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 20, 1975, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to the proceeding or

to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1120 Filed 1-13-75;8:45 am]

[Docket No. E-9159]

DUKE POWER CO.**Supplement to Contract**

JANUARY 8, 1975.

Take notice that on December 9, 1974 Duke Power Company tendered for filing two supplements to its Electric Power Contract with Union Electric Membership Corporation. The filing reflects the CEPA reallocation to delivery point No. 1 and CEPA allocation to delivery point No. 6 under the above mentioned contract.

Waiver of the Commission's notice requirements is requested in order that the supplements described above can be made effective on December 20, 1974.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 20, 1975, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to the proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1119 Filed 1-13-75;8:45 am]

[Docket No. E-9160]

DUKE POWER CO.**Filing Supplement to Contract With Blue
Ridge Electric Membership Corp.**

JANUARY 7, 1975.

Take notice that on December 9, 1974 the Duke Power Company tendered for filing supplements to its contract with the Blue Ridge Electric Membership Corporation. These supplements reflect the CEPA reallocation to delivery point No. 2 and a CEPA allocation to delivery point No. 5 pursuant to the abovementioned contract.

Waiver of the Commission's notice requirements is requested in order that the above described supplements can be made effective on December 20, 1974.

Any person desiring to be heard or to make any protest with reference to said application should on or before Janu-

ary 20, 1975, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to the proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1122 Filed 1-13-75;8:45 am]

[Docket No. E-9099]

ESSEX CO. ET AL.**Extension of Time**

JANUARY 8, 1975.

On January 2, 1975, Merrimac Paper Company filed a motion to extend the time for responding to the Order to Show Cause issued November 8, 1974 in the above-designated matter.

Upon consideration, notice is hereby given that the time for responding to the above order is extended to and including March 10, 1975.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1123 Filed 1-13-75;8:45 am]

[Docket No. E-9119]

FLORIDA POWER & LIGHT CO.**Filing New Interchange Agreement**

JANUARY 7, 1975.

Take notice that on November 20, 1974 the Florida Power and Light Company tendered for filing a contract for interchange service between Florida Power and Light and Fort Pierce Utilities Authority dated May 1, 1974. This agreement is to supersede the contract between the same two parties presently on file with the Commission and designated as Florida Power and Light Company FPC Rate Schedule No. 2.

Florida Power and Light requests waiver of the Commission's notice requirements set forth in §35.3 of the Commission's regulations in order that the proposed Rate Schedule can be made effective as of May 1, 1974.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 20, 1975, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to the proceeding or to

participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1124 Filed 1-13-75;8:45 am]

[Docket No. E-9144]

GEORGIA POWER CO.

Amendment to Interchange Contract

JANUARY 8, 1975.

Take notice that on November 29, 1974 the Georgia Power Company (Georgia Power) tendered for filing an amendment to the Interchange Contract between Georgia Power and the Savannah Electric and Power Company dated May 24, 1973. Georgia Power states that the proposed amendment will not change the level of the rate at which it serves Savannah and that the amendment will only change the magnitude of capacity purchases by Savannah.

Georgia requests that an effective date of January 1, 1975 be assigned to the proposed amendment.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 20, 1975, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1125 Filed 1-13-75;8:45 am]

[Docket No. E-9127]

ILLINOIS POWER CO.

Filing Appendix to Interconnection Agreement

JANUARY 8, 1975.

Take notice that on November 25, 1974 the Illinois Power Company tendered for filing Appendix A to the Interconnection Agreement between itself and the Central Illinois Light Company. The filing sets forth the points of connection between the two systems as well as the facilities that will be provided by the Illinois Power Company.

Any person desiring to be heard or to make any protest with reference to said application should on or before Janu-

ary 20, 1975, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1126 Filed 1-13-75;8:45 am]

[Docket No. RP73-23 (PGA 75-2)]

LAWRENCEBURG GAS TRANSMISSION CORP.

Changes in Rates and Charges

JANUARY 8, 1975.

Take notice that Lawrenceburg Gas Transmission Corporation (Lawrenceburg) on December 23, 1974, tendered for filing Eighth Revised Sheet No. 3-A, and Eighth Revised Sheet No. 18-B to its FPC Gas Tariff, Original Volume No. 1. The purpose of the filing, Lawrenceburg states, is to reflect the change in its cost of gas purchased, pursuant to the provisions of its tariff. The proposed rate increase would reflect the rate increase filed by Texas Gas Transmission Corporation on or about December 13, 1974, which would be effective on February 1, 1975, in Docket Nos. RP72-156, et al.

Lawrenceburg requests waiver of the notice requirements of the Commission's Regulations in order that its rate change may become effective on February 1, 1975, or such other date as the Commission may permit the Texas Gas rate increase to become effective.

Lawrenceburg states that copies of the tendered filing have been mailed to its two jurisdictional customers, Lawrenceburg Gas Company and Cincinnati Gas & Electric Company, and to interested State Commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene (unless such person has already been granted intervention herein) or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 22, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file

with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1127 Filed 1-13-75;8:45 am]

[Docket No. CP74-157]

MICHIGAN WISCONSIN PIPE LINE CO.

Petition to Amend

JANUARY 7, 1975.

Take notice that on December 19, 1974, Michigan Wisconsin Pipe Line Company (Petitioner), One Woodward Avenue, Detroit, Michigan 48226, filed in Docket No. CP74-157 a petition to amend the order issued in said docket on September 6, 1974 (52 FPC), pursuant to section 7(c) of the Natural Gas Act by authorizing an increase in the maximum daily quantity (MDQ) to be delivered by Petitioner to City of Bethany, Missouri (Bethany), all as more fully set forth in the petition which is on file with the Commission and open to public inspection.

Petitioner states that a review of 1974-75 heating season requirements reveals that Bethany will require an increase in MDQ from the presently authorized 2,600 Mcf to 3,500 Mcf under Petitioner's Rate Schedule SGS-1. Petitioner explains that absent the requested increase in MDQ Bethany may incur daily overrun penalties during the current heating season. Petitioner claims that the revised MDQ will result in no increase in annual entitlement and that the increased service can be provided with existing facilities, including those previously authorized in the subject docket.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before January 29, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1128 Filed 1-13-75;8:45 am]

[Docket No. E-7671]

MISSISSIPPI RIVER BASIN

Further Extension of Time

JANUARY 8, 1975.

On December 30, 1974, Bladin Paper Company, Northwest Paper Division of

Potlatch Corporation, and Minnesota Power and Light Company filed a joint motion to extend the time in which to respond to the Annex to the March, 1973 Supplemental Report of the Commission's Bureau of Power dated April, 1974, on the Investigation of Headwater Benefits 1925-1965 which was transmitted by letter dated July 4, 1974. The present deadline was fixed by notice issued October 25, 1974, which extended an earlier date.

Upon consideration, notice is hereby given that the date for responding in the above matter is extended to and including March 13, 1975.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1129 Filed 1-13-75;8:45 am]

[Docket No. RP72-149, PGA75-6]

MISSISSIPPI RIVER TRANSMISSION CORP.

Proposed Change in Rates

JANUARY 7, 1975.

Take notice that Mississippi River Transmission Corporation (MRT) on December 17, 1974, tendered for filing Twenty-Sixth Revised Sheet No. 3A to its FPC Gas Tariff, First Revised Volume No. 1 to become effective February 1, 1975.

MRT states that the instant filing is being made pursuant to the purchased gas cost adjustment provision of MRT's tariff to reflect the rate change filing of Trunkline Gas Company (Trunkline). MRT further states that Trunkline's rate change filing was made pursuant to the terms of the PGA provisions of its tariff, to be effective February 1, 1975 and Trunkline included as a part of its deferred purchased cost account increase, an estimated amount computed to provide for the recovery of all Opinion No. 699 producer increases, prior to those prescribed in Opinion No. 699-H, incurred up to the proposed February 1, 1975 effective date. Trunkline states that this estimated amount has been included pursuant to Opinion No. 699-G in FPC Docket No. R-389-B, and computed in accordance with the provisions included in the FPC Order issued November 29, 1974 in Docket No. RP75-22.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 20, 1975. Protests will be considered by the Commission to determine appropriate action to be taken but will not serve to make protestants parties to the proceeding. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1130 Filed 1-13-75;8:45 am]

NORTHERN NATURAL GAS CO.

Filing of Motion To Expend Refund Monies on Exploration and Development

JANUARY 8, 1975.

Take notice that on December 4, 1974, Northern Natural Gas Company (Northern) tendered for filing a Motion for Approval of Exploration Fund Proposal as a program under which it could fulfill the refund obligations which the captioned proceedings currently impose upon it with respect to a refund of \$6,732,722.61 recently received by it from Phillips Petroleum Company (Phillips) incident to orders issued in Docket No. AR64-1, *et al.*

In order that these proceedings might be brought up to date, Northern has stated the procedural history in this docket to be as follows:

1. On September 18, 1970 the Commission rendered Opinion No. 586 in Docket No. AR64-1, *et al.* (44 FPC 761), substantially adopting a settlement proposal dated January 29, 1970. Said Opinion was appealed and affirmed by the Ninth Circuit Court of Appeals, 466 F. 2d 974 (1972). Said Opinion, *inter alia*, imposed on Phillips the obligation to refund to Northern, with interest, amounts paid by Northern to Phillips at rate levels above those found in said Opinion to be just and reasonable.

2. On June 30, 1970 Phillips filed in AR64-1, *et al.* a "Petition of Phillips Petroleum Company for Special Relief from Refund Obligations." By Order issued March 18, 1974, the Commission denied the Petition of Phillips and directed that Phillips comply with a schedule for making the required refund of principal and interest.

3. Thereafter, on April 16, 1974, Phillips filed a refund report with the Commission, and on October 3, 1974, Phillips sent to Northern a check in the amount of \$6,732,722.61, covering the principal and interest on refunds required by Opinion No. 586.

4. On October 15, 1974, Northern notified Phillips and the Commission of Northern's receipt of said check and that such receipt effected a full and complete release of Phillips insofar as Phillips' compliance with the refund provisions of Opinion No. 586 was concerned.

5. Under the provisions of Commission orders issued December 21, 1961, in Docket No. G-19040 and issued March 18, 1974, in AR64-1, *et al.*, Northern was obligated to file, by November 15, 1974, a plan for Northern's flow-through of said refunds. On November 15, 1974, Northern filed with the Commission a "Motion for Deferral of Time of Filing Plan for Flow-Through of Refunds."

Northern now comes seeking to retain the refunded amount and use it in an effort to explore for and develop more gas reserves. In support of its proposal, Northern argues that its gas reserves are steadily decreasing, as is evidenced by the

fact that its acquisition of new gas reserves has fallen short of production from dedicated reserves in seven out of the last eight years. Northern also argues that it is not able to augment its gas reserves through internally-financed increases in its own exploration and development efforts because price ceilings imposed in Opinion Nos. 568 and 699 have limited potential returns from such efforts.

Northern alleges that its proposal differs from a similar plan offered by Phillips (see #2 above) in that:

(a) The Phillips Petition was found to be an effort by a producer retroactively to modify a previous final order, no longer subject to judicial review, whereas the Northern proposal is submitted in advance of any final Commission order regarding the proper disposition by Northern of the subject refunds. (b) The Phillips Petition carried no assurance that the gas discovered thereunder would flow pro rata to each pipeline customer and their customers in the ratio of each such party's entitlement to the refunds, whereas the present proposal involves only Northern and its customers and has an inherent guarantee that the gas will flow entirely to Northern's customers. (c) The Phillips Petition would have involved the forgiveness of all refunds by Phillips in a situation where other producers had earlier entered into settlements and asserted they would be disadvantaged by the granting of that Petition, whereas under the instant proposal Phillips is given parity of treatment with all other producers and the possibility of unreasonable discrimination does not arise.

Northern states that it has mailed copies of its filing to all of its jurisdictional customers as well as all interested State Commissions.

A Protest, Answer to Motion and Petition to Intervene in this matter was filed by the Northern Municipal Defense Group and Minnesota Municipal Utilities Association on December 18, 1974. A protest was filed by Natural Gas, Inc. on December 20, 1974.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 27, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1131 Filed 1-13-75;8:45 am]

[Docket No. CP75-178]

NORTHERN NATURAL GAS CO.**Notice of Application**

JANUARY 7, 1975.

Take notice that on December 17, 1974, Northern Natural Gas Company (Applicant), 2223 Dodge Street, Omaha, Nebraska filed in Docket No. CP75-178 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing Applicant to construct and operate a new sales measuring station to serve as an additional point of delivery to Metropolitan Utilities District of Omaha (M.U.D.) all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant requests authorization to install town border station facilities in Douglas County, Nebraska, as an additional point of delivery to M.U.D. through which to provide natural gas volumes to M.U.D.'s new LNG peak shaving plant. Applicant states that volumes of natural gas to be provided through the proposed facilities are to be served out of M.U.D.'s presently effective contract demand. The agreement for the additional delivery point sets forth the basis upon which Applicant will transport by displacement equivalent volumes of vaporized LNG to M.U.D.'s other delivery points without a transportation charge.

Applicant estimates the cost of the proposed facilities to be \$47,350. Applicant states that M.U.D. has agreed to reimburse Applicant the total actual cost of construction.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 29, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is re-

quired, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1133 Filed 1-13-75;8:45 am]

[Docket No. CP75-185]

NORTHERN NATURAL GAS CO.**Notice of Application**

JANUARY 7, 1975.

Take notice that on December 20, 1974, Northern Natural Gas Company (Applicant), 2223 Dodge Street, Omaha, Nebraska 68102, filed in Docket No. CP75-185 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction of two new delivery points and the exchange of natural gas from additional wells in interstate commerce with El Paso Natural Gas Company (El Paso), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it has quantities of gas available for delivery to El Paso for exchange from two recently completed wells located in Sutton County, Texas. Applicant further states that delivery of up to 227,000 Mcf of gas annually (up to 620 Mcf of gas per day) to El Paso will be made under the terms of Applicant's Rate Schedule T-3 of its Gas Tariff, Original Volume No. 2. To deliver gas from the additional wells Applicant proposes to construct 3,000 feet of 4-inch pipe, one 2-inch measuring station and appurtenances at the Miers A #5 well and 1,000 feet of 4-inch pipe, one 2-inch measuring station and appurtenances at the Miers A #6 well.

Applicant estimates the cost of the proposed facilities to be \$39,760 which will be financed from funds on hand.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 31, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the

Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1132 Filed 1-13-75;8:45 am]

[Docket No. ID-1749]

O'CONNOR, WILLIAM F.**Initial Application**

JANUARY 8, 1975.

Take notice that on November 29, 1974, William F. O'Connor (Applicant) filed an initial application with the Federal Power Commission. Pursuant to Section 305(b) of the Federal Power Act, Applicant seeks authority to hold the following positions:

Assistant Secretary—Blackstone Valley Electric Company, Public Utility.

Clerk—Brockton Edison Company, Public Utility.

Clerk—Fall River Electric Light Company, Public Utility.

Assistant Clerk—Montaup Electric Company, Public Utility.

Blackstone Valley Electric Company ("Blackstone"), a Rhode Island corporation having its principal place of business on Washington Highway, Lincoln, Rhode Island, owns and operates facilities for the generation, transmission and distribution of electric energy at retail in and around Pawtucket, Woonsocket, Central Falls, Cumberland, and Lincoln, Rhode Island. Blackstone also supplies electric energy to Pascoag Fire District (a municipal electric system) for resale. Most of the energy sold by Blackstone is purchased from Montaup Electric Company.

Brockton Edison Company ("Brockton"), a Massachusetts corporation having its principal place of business at 36 Main Street, Brockton, Massachusetts, owns and operates facilities for the transmission and distribution of electric energy at retail in the city of Brockton and 16 surrounding towns in Massachusetts. Brockton also supplies electric energy to Newport Electric Corporation and the Town of Middleborough for resale. Most of the energy sold by Brockton is purchased from Montaup Electric Company.

Fall River Electric Light Company ("Fall River"), a Massachusetts corporation having its principal place of business at 85 North Main Street, Fall River,

Massachusetts, owns and operates facilities for the distribution of electric energy at retail in the city of Fall River and in neighboring towns of Swansea, Somerset, the major part of Dighton, and a part of Westport, all in Massachusetts. Fall River also supplies electric energy to The Narragansett Electric Company for resale. Most of the energy sold by Fall River is purchased from Montaup Electric Company.

Montaup Electric Company ("Montaup"), a Massachusetts corporation having its principal place of business in Somerset, Massachusetts, owns and operates facilities in that town for the generation of electric energy and facilities in Somerset and elsewhere in Massachusetts for the transmission of such energy. Most of the electric energy which it generates, together with additional energy which it purchases, is sold to Blackstone Valley Electric Company ("Blackstone"), Brockton Edison Company ("Brockton") and Fall River which companies together own all of Montaup's outstanding securities except short-term notes.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 20, 1975 file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1144 Filed 1-13-75; 8:45 am]

[Docket No. ID-1748]

PALMER, HERBERT T.
Initial Application

JANUARY 8, 1975.

Take notice that on November 29, 1974, Herbert T. Palmer (Applicant) filed an initial application with the Federal Power Commission, pursuant to Section 305(b) of the Federal Power Act, Applicant seeks authority to hold the following positions:

Vice President—Fall River Electric Light Company, Public Utility.
Director—Montaup Electric Company, Public Utility.

Fall River Electric Light Company ("Fall River"), a Massachusetts corporation having its principal place of business at 85 North Main Street, Fall River, Massachusetts, owns and operates facilities for the distribution of electric energy at retail in the city of Fall River and in neighboring towns of Swansea, Somerset, the major part of Dighton, and

a part of Westport, all in Massachusetts. Fall River also supplies electric energy to The Narragansett Electric Company for resale. Most of the energy sold by Fall River is purchased from Montaup Electric Company.

Montaup Electric Company ("Montaup"), a Massachusetts corporation having its principal place of business in Somerset, Massachusetts, owns and operates facilities in that town for the generation of electric energy and facilities in Somerset and elsewhere in Massachusetts for the transmission of such energy. Most of the electric energy which it generates, together with additional energy which it purchases, is sold to Blackstone Valley Electric Company ("Blackstone"), Brockton Edison Company ("Brockton") and Fall River which companies together own all of Montaup's outstanding securities except short-term notes.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 20, 1975 file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1145 Filed 1-13-75; 8:45 am]

[Docket Nos. RP73-108, RP73-36 (AP75-1),
PGA75-2]

PANHANDLE EASTERN PIPE LINE CO.
Change in Tariff

JANUARY 3, 1975.

Take notice that on December 13, 1974, Panhandle Eastern Pipe Line Company (Panhandle) tendered for filing Twelfth Revised Sheet No. 3-a to its FPC Gas Tariff, Original Volume No. 1. Panhandle submits that this revised tariff sheet reflects rate adjustments as follows:

(1) An Advance Payment tracking adjustment pursuant to Article V of the Agreement as to Rates and Related Matters in Docket No. RP73-108, approved by the Commission's Order dated August 30, 1974; and

(2) A DCA Commodity Surcharge Adjustment pursuant to § 16.6(e) of the General Terms and Conditions of its FPC Gas Tariff, Original Volume No. 1; and

(3) A Rate Adjustment pursuant to § 18.4 of the General Terms and Conditions of its FPC Gas Tariff, Original

Volume No. 1; such adjustment reflecting a proposed Pipeline Supplier rate adjustment to be effective concurrently herewith; and

(4) A PGA Rate Adjustment pursuant to § 18.2 of the General Terms and Conditions of its FPC Gas Tariff, Original Volume No. 1.

An effective date of February 1, 1975 is proposed.

The company states that it has, as a part of its deferred purchased gas cost account increase, included an estimated amount computed to provide for the recovery of all Opinion No. 699 producer increases, prior to those prescribed in Opinion No. 699-H, incurred up to the proposed February 1, 1975 effective date. Panhandle states such amount is included pursuant to Opinion No. 699-G in FPC Docket No. R-389-B.

In recognition of the Commission's policy of suspending for one day that portion of pipeline company PGA filings which are based in part on small producer and emergency purchases at rates above the level established in Opinion No. 699, Panhandle tendered for filing Alternate Twelfth Revised Sheet No. 3-A, which Panhandle states includes the PGA rate adjustment exclusive of amounts attributable to small producer and emergency purchases at rates above the level established by Opinion No. 699.

In the event that the Commission suspends Twelfth Revised Sheet No. 3-A, Panhandle proposes that Alternate Twelfth Revised Sheet No. 3-A be made effective February 1, 1975, and to remain in effect during the suspension period.

Panhandle states that copies of its filing have been served on all jurisdictional customers and applicable state regulatory agencies.

Any person desiring to be heard or to protest said application should file a petition to intervene (if such intervention has not previously been granted) or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 17, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

MARY B. KIDD,
Acting Secretary.

[FR Doc.75-1134 Filed 1-13-75; 8:45 am]

[Docket No. ID-1746]

PATTERSON, FRANCIS I.
Initial Application

JANUARY 8, 1975.

Take notice that on November 29, 1974, Francis I. Patterson (Applicant)

filed an initial application with the Federal Power Commission. Pursuant to Section 305(b) of the Federal Power Act, Applicant seeks authority to hold the following positions:

Assistant Treasurer—Blackstone Valley Electric Company, Public Utility.
Assistant Treasurer—Brockton Edison Company, Public Utility.
Assistant Treasurer—Fall River Electric Light Company, Public Utility.
Assistant Treasurer—Montaup Electric Company, Public Utility.

Blackstone Valley Electric Company ("Blackstone"), a Rhode Island corporation having its principal place of business on Washington Highway, Lincoln, Rhode Island, owns and operates facilities for the generation, transmission and distribution of electric energy at retail in and around Pawtucket, Woonsocket, Central Falls, Cumberland, and Lincoln, Rhode Island. Blackstone also supplies electric energy to Pascoag Fire District (a municipal electric system) for resale. Most of the energy sold by Blackstone is purchased from Montaup Electric Company.

Brockton Edison Company ("Brockton"), a Massachusetts corporation having its principal place of business at 36 Main Street, Brockton, Massachusetts, owns and operates facilities for the transmission and distribution of electric energy at retail in the city of Brockton and 16 surrounding towns in Massachusetts. Brockton also supplies electric energy to Newport Electric Corporation and the Town of Middleborough for resale. Most of the energy sold by Brockton is purchased from Montaup Electric Company.

Fall River Electric Company ("Fall River"), a Massachusetts corporation having its principal place of business at 85 North Main Street, Fall River, Massachusetts, owns and operates facilities for the distribution of electric energy at retail in the city of Fall River and in neighboring towns of Swansea, Somerset, the major part of Dighton, and a part of Westport, all in Massachusetts. Fall River also supplies electric energy to The Narragansett Electric Company for resale. Most of the energy sold by Fall River is purchased from Montaup Electric Company.

Montaup Electric Company ("Montaup"), a Massachusetts corporation having its principal place of business in Somerset, Massachusetts, owns and operates facilities in that town for the generation of electric energy and facilities in Somerset and elsewhere in Massachusetts for the transmission of such energy. Most of the electric which it generates, together with additional energy which it purchases, is sold to Blackstone, Brockton and Fall River which companies together own all of Montaup's outstanding securities except short-term notes.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 20, 1975 file with the Federal Power Commission, Washington, D.C. 20426,

petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMS,
Secretary.

[FR Doc.75-1146 Filed 1-13-75; 8:45 am]

[Docket No. CI75-393]

PHILLIPS PETROLEUM CO.

Notice of Application

JANUARY 6, 1975.

Take notice that on December 18, 1974, Phillips Petroleum Company (Applicant), Bartlesville, Oklahoma 74004, filed in Docket No. CI75-393 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to Southern Natural Gas Company from Applicant's interest in State Lease 5905, Well No. 1, Breton Sound Block 45, Plaquemines Parish, Louisiana, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it is selling natural gas through January 31, 1975, within the contemplation of § 157.29 of the regulations under the Natural Gas Act (18 CFR 157.29) and proposes to continue said sale for two years from the end of the emergency period within the contemplation of § 2.70 of the Commission's General Policy and Interpretations (18 CFR 2.70). Applicant proposes to sell approximately 38,750 Mcf of gas per month at the rate provided by Section 2.56a of the Commission's General Policy and Interpretations (18 CFR 2.56a). The initial rate is said to be 58.36 cents per Mcf at 14.73 psia, including 6.86 cents per Mcf in taxes and 0.5 cent per Mcf gathering charge.

Applicant states that it appears that the reserves attributable to the sands dedicated under this contract are very limited and will be depleted within two years and thus this supply will be available only for the limited period for which certification is sought.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 27, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests

filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMS,
Secretary.

[FR Doc.75-1135 Filed 1-13-75; 8:45 am]

[Docket No. ID-1753]

REID, ROSS

Initial Application

JANUARY 8, 1975.

Take notice that on December 19, 1974, Ross Reid (Applicant) filed an initial application with the Federal Power Commission. Pursuant to section 305(b) of the Federal Power Act, Applicant seeks authority to hold the following positions:

Director, Monongahela Power Company, Public Utility.
Director, The Potomac Edison Company, Public Utility.
Director, West Penn Power Company, Public Utility.

Monongahela, Potomac and West Penn have from time to time various contracts and arrangements of a continuing nature with non-affiliated corporations regarding electrical interconnections, generating station and transmission line construction, servicing office equipment, advertising distributing information to the public, testing, scrap materials, coal, ash handling, right of way, tree trimming, engineering studies, and other miscellaneous matters, and with certain banks acting as bond trustees or stock transfer agents or registrars.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 20, 1975 file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the

Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1147 Filed 1-13-75;8:45 am]

[Docket No. RP73-89, PGA 75-1]

SEA ROBIN PIPELINE CO.
Filing of Revised Tariff Sheet

JANUARY 3, 1975.

Take notice that on December 18, 1974, Sea Robin Pipeline Company (Sea Robin) tendered for filing Substitute Fourth Revised Sheet No. 4, which contains a Surcharge Adjustment of 8.02¢ per Mcf to its FPC Gas Tariff, Original Volume No. 1. Sea Robin states that this Proposed Substitute Tariff Sheet is being filed pursuant to Federal Power Commission Opinion No. 699-G, "Statement of Policy with Respect to the Filing of Purchase Gas Cost Adjustments Resulting from the Payment of Rates Prescribed in Docket No. R-389-B," which permits pipeline companies to include in their next PGA filing a special one-time Surcharge computed by using the actual amount of unrecovered purchased gas costs included in the deferred account plus an estimated amount computed to provide for the recovery of all Opinion No. 699 producer increases incurred up to the effective date of its PGA increase. Sea Robin also states that the 8.02¢ per Mcf Surcharge shown on the Proposed Substitute Tariff Sheet has been computed from the sum of (1) the actual amount of unrecovered purchased gas costs incurred through September 30, 1974, (2) the actual amount of unrecovered purchased gas cost incurred during October and November, 1974 resulting from Opinion No. 699, and (3) an estimate of increased gas costs resulting from Opinion No. 699 which Sea Robin will incur during December, 1974. The proposed effective date is January 1, 1975.

Sea Robin further states that the Surcharge Adjustment submitted as a part of the Proposed Substitute Tariff Sheet does not include any additional costs which may be incurred during the period from June 21, 1974, through December 31, 1974, as a result of Opinion No. 699-H, which authorized producer rate increases filed by January 31, 1975, to become effective as of June 21, 1974. In that opinion, the Commission authorized pipeline companies to make a one-time special PGA filing on or before March 3, 1975, to track all increases in purchased gas costs attributable to fil-

ings made by natural gas producers under Opinion No. 699-H. Pursuant to this authorization, Sea Robin states that it will make a special PGA filing on or before March 3, 1975, which will include a Current Adjustment reflecting the higher future purchased gas costs resulting from Opinion No. 699-H for the period commencing June 21, 1974.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 17, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

MARY B. KIDD,
Acting Secretary.

[FR Doc.75-1136 Filed 1-13-75;8:45 am]

[Docket Nos. CI61-104, CI68-1146, CI70-102]

SHELL OIL CO.

Petition for Release of Funds Currently Being Held in Escrow

JANUARY 8, 1975.

Take notice that on December 16, 1974, Shell Oil Company (Petitioner), One Shell Plaza, P.O. Box 2463, Houston, Texas 77001, pursuant to § 1.7 of the Commission's rules of practice and procedure filed a petition for release of funds currently being held in escrow in Docket Nos. CI61-104, CI68-1146, and CI70-102. Said funds are presently being held in escrow pursuant to Commission orders issued in Docket Nos. CI61-104, CI68-1146, and CI70-102, which granted Petitioner a temporary certificate for the sales of gas from the Disputed Zone conditioned to an initial price of 20.0 cents per Mcf for gas well gas and to 18.5 cents per Mcf for casinghead gas. The orders issued in Docket Nos. CI68-1146 and CI70-102 were further conditioned to provide that 1.5 cents per Mcf of the total initial price would be paid into escrow by the pipeline purchaser, United Gas Pipe Line Company (United), pending resolution of the boundary between the Louisiana taxing jurisdiction and the Federal Domain, and pending the final order in Docket No. AR 69-1.

With respect to the order issued in Docket No. CI61-104, the total initial price was conditioned to provide that 0.5 cents per Mcf would be paid into escrow by the purchaser, Tennessee Gas Pipeline Company (Tennessee), pending final adjudication of the proper taxing jurisdiction for the properties involved. The Commission also provided that this action was without prejudice to any findings or orders thereafter made in Docket No. CI61-104.

Petitioner states that because of the United States Supreme Court's affirmation of Opinion Nos. 598 and 598-A (*Southern Louisiana Area Rate Proceeding*, Docket Nos. AR61-2, et al., and AR69-1,¹ that it is now entitled to receive the escrowed funds.

Any person desiring to be heard or to make any protest with reference to said petition should on or before January 27, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any party wishing to become a party to a proceeding, or to participate as a party in any hearing therein, must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1137 Filed 1-13-75;8:45 am]

[Docket No. ID-1751]

STEVENS, MELVIN D.

Initial Application

JANUARY 8, 1975.

Take notice that on December 4, 1974, Melvin D. Stevens (Applicant) filed an initial application with the Federal Power Commission. Pursuant to section 305(b) of the Federal Power Act, Applicant seeks authority to hold the following positions:

Director & Vice President, Brockton Edison Company, Public Utility.
Director, Montaup Electric Company, Public Utility.

Brockton Edison Company ("Brockton"), a Massachusetts corporation having its principal place of business at 36 Main Street, Brockton, Massachusetts, owns and operates facilities for the transmission and distribution of electric energy at retail in the City of Brockton and 16 surrounding towns in Massachusetts. Brockton also supplies electric energy to Newport Electric Corporation and the Town of Middleborough for resale. Most of the energy sold by Brockton is purchased from Montaup Electric Company.

Montaup Electric Company ("Montaup"), a Massachusetts corporation having its principal place of business in Somerset, Massachusetts, owns and operates facilities in that town for the generation of electric energy and facilities in Somerset and elsewhere in Massachusetts for the transmission of such energy. Most of the electric energy which it generates, together with additional energy which it purchases, is sold to Blackstone Valley Electric Company ("Blackstone"), Brockton and Fall River Electric Light Company ("Fall River") which companies together own all of Montaup's

¹ Mobil Oil Corp. v. F.P.C., — U.S. —, 94 S. Ct. 2328, June 10, 1974.

outstanding securities except short-term notes.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 20, 1975 file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1146 Filed 1-13-75;8:45 am]

[Docket No. RP74-98]

TIDAL TRANSMISSION CO.

Filing of Tariff Sheet

JANUARY 7, 1975.

Take notice that on October 18, 1974, Tidal Transmission Company (Tidal) tendered for filing its First Revised Sheet No. 17C of its FPC Gas Tariff, to be effective on November 1, 1974, superseding its Original Sheet No. 17C.

Tidal states that the sole purpose of the revised tariff sheet is to comply with Commission policy as stated in recent orders involving other pipeline companies. Tidal states that its research and development rate adjustment provision is modified to require that balances in FPC Account No. 188 are to be adjusted by the tax effects of R&D expenditures for the purpose of computing the R&D rate adjustment.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 30, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene; provided, however, that any person who has previously filed a petition to intervene in this proceeding is not required to file a further petition. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1138 Filed 1-13-75;8:45 am]

UTAH POWER & LIGHT CO.

Notice of Application

JANUARY 8, 1975.

Take notice that on December 23, 1974, Utah Power & Light Company (Applicant) tendered for filing pursuant to section 205 of the Federal Power Act and Part 35 of the regulations issued thereunder, a Transfer Agreement dated October 16, 1974, with Puget Sound Power & Light Company (Puget), whereby Applicant contracts to transmit up to 100 mw capacity and 35 mw average energy from Hot Springs, Montana, to the Four-Corners point of interconnection with Salt River Project Agricultural Improvement and Power District during the months of June, July, August and September, 1977. Puget is to deliver five percent losses upon capacity and energy so destined for Salt River, and will additionally provide Applicant with 37 mw of capacity as full compensation for its wheeling service. Applicant requests that the Transfer Agreement be accepted for filing as of October 16, 1974.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 30, 1975, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and is available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1139 Filed 1-13-75;8:45 am]

[Docket No. RP73-94 PGA 75-1]

VALLEY GAS TRANSMISSION, INC.

Purchased Gas Cost Adjustment Filing

JANUARY 7, 1975.

Valley Gas Transmission, Inc. (Valley), on December 23, 1975, submitted for filing as part of its FPC Gas Tariff, Original Volume No. 1 its proposed "Third Revised Sheet No. 2A." The proposed effective date is January 1, 1975.

Valley states that this tariff sheet is filed pursuant to its Purchased Gas Cost Adjustment Provision.

Valley requests waiver of the requirements of section 5 of its PGA Clause so that the proposed new tariff sheet may become effective on less than 45 days' notice.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the

Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 20, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of the filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1140 Filed 1-13-75;8:45 am]

[Docket No. E-8965]

WISCONSIN POWER & LIGHT CO.

Filing of Settlement Agreement

JANUARY 8, 1975.

Take notice that on December 13, 1974, the Wisconsin Power and Light Company (WP&L) filed a settlement agreement in the above numbered docket.

Pursuant to requests for further information, WP&L has explained to the Commission the transactions involved in WP&L's share of ownership in nuclear fuel and the Kewaunee Nuclear Generating Plant. WP&L also provided a schedule showing their capital structure as of the end of 1974. WP&L has agreed that the capitalization structure specified in the rate, specifically in Item 4 of Paragraph 2 thereof, shall not include unamortized debt premiums, unamortized debt discount and short term loans. Accordingly, WP&L has resubmitted the first page of the Amendment to the contract for electricity dated December 12, 1952, between itself and South Beloit Water, Gas and Electricity Company (SBWG&E).

The proposed agreement states that WP&L and the Commission Staff have agreed that in the event that the proportion of common stock in the capital structure to the company should exceed 40 percent, then the rate would be subject to revision and refiling with the Commission.

A Certificate of Concurrence dated November 29, 1974, by SBWG&E, relating to the filing of the Amendment bearing the same date was attached to the filing.

Any person desiring to be heard or to protest said settlement agreement should file comments with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, on or before January 22, 1975. Comments will be considered by the Commission in determining the appropriate action to be taken. Copies of this agreement are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1142 Filed 1-13-75;8:45 am]

[Docket No. E-9198]

WISCONSIN POWER & LIGHT CO.**Tariff Change**

JANUARY 8, 1975.

Take notice that Wisconsin Power and Light Company, on December 30, 1974 tendered for filing proposed changes in its W-2 and W-3 Electric Service Tariff, Wholesale For Resale. The proposed changes would increase revenues from W-2 Customers by \$1,133,743 and from W-3 Customers by \$3,928,724 based on the 12-month period ending January 31, 1976.

Wisconsin Power and Light Company states that the proposed rate increase is necessary to meet rising financial and operating costs. The proposed effective date of the rates contained in the filing is February 1, 1975.

Copies of the filing were served upon the public utility's jurisdictional customers, and the Public Service Commission of Wisconsin.

Any person desiring to be heard or to protest said application should file a Petition to Intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 23, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any persons wishing to become a party must file a Petition to Intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1141 Filed 1-13-75;8:45 am]

FEDERAL RESERVE SYSTEM**AMERICAN BANCSHARES, INC.****Formation of Bank Holding Company**

American Bancshares, Inc., Tulsa, Oklahoma, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 84.9 percent or more of the voting shares of American Bank of Oklahoma, Pryor Creek, Oklahoma. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551 to be received not later than February 5, 1975.

Board of Governors of the Federal Reserve System, January 6, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.75-1103 Filed 1-13-75;8:45 am]

B. O. C. CORP.**Formation of Bank Holding Company**

B. O. C. Corporation, Sheridan, Wyoming, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 86.66 percent or more of the voting shares of Bank of Commerce, Sheridan, Wyoming. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551 to be received not later than February 6, 1975.

Board of Governors of the Federal Reserve System, January 7, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.75-1104 Filed 1-13-75;8:45 am]

BROWARD BANCSHARES, INC.**Order Approving Acquisition of Bank**

Broward Bancshares, Inc., Fort Lauderdale, Florida, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire 90 percent or more of the voting shares of Northwood Bank of West Palm Beach, West Palm Beach, Florida ("Bank").

Notice of the application affording opportunity for interested persons to submit comments and views has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Federal Reserve Bank of Atlanta has considered the application and comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, the fifteenth largest banking organization in Florida, controls five banks with aggregate deposits of \$307.8 million or 1.4 percent of deposits in commercial banks in Florida. (All banking data are as of December 31, 1973.) Acquisition of Bank would increase Applicant's share of Florida commercial bank deposits by less than one percent and would not change Applicant's rank in size. No undue concentration of banking resources in Florida would result.

The relevant market is the West Palm Beach banking market, which consists of the northern two-thirds of Palm

Beach County, Florida. Fifteen banking organizations have total deposits of \$1.2 billion in this market. Bank holds \$3.7 million in deposits or 0.3 percent of commercial bank deposits in the market area. Applicant has received approval for acquisition of Broward National Bank of Boynton Beach, a de novo bank to be located in the market area. The Boynton Beach bank is to be located 16 miles south of Bank. Applicant's closest existing subsidiary is Coral Ridge National Bank of Fort Lauderdale, located 40 miles south of Bank. Applicant's proposal would eliminate no present competition and only an insignificant amount of future competition. Bank is affiliated with Central Bank of Palm Beach County through common ownership and six interlocking directors. Applicant has stated that after consummation of this acquisition the interlocking relationship would be severed, which would be pro-competitive. In sum, competitive considerations lend weight toward approval.

The financial condition and managerial resources of Applicant, its subsidiary banks, and Bank are considered to be satisfactory, in view of Applicant's injection of equity capital into a subsidiary bank. Banking factors are consistent with approval herein.

There is no evidence that the banking needs of the community are not being served; however, trust services will be available at Bank through a trust service office of Applicant's lead bank and Bank will be able to use Applicant's recruiting and training programs. Therefore, considerations relating to the convenience and needs of the community to be served lend weight toward approval of the application.

It is this Federal Reserve Bank's judgment that consummation of the proposed acquisition is in the public interest and that the acquisition should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be made (a) before the thirtieth calendar day following the effective date of this Order or (b) later than three months after that date, unless the period described in (b) is extended for good cause by the Board, or by this Federal Reserve Bank pursuant to delegated authority.

By order of the Federal Reserve Bank of Atlanta acting under delegated authority for the Board of Governors of the Federal Reserve System, effective January 3, 1975.

[SEAL] MONROE KIMBREL,
President.

[FR Doc.75-1105 Filed 1-13-75;8:45 am]

FLORIDA BANCSHARES, INC.**Order Approving Acquisition of Bank**

Florida Bancshares, Inc., Hollywood, Florida, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act

(12 U.S.C. 1842(a)(3)) to acquire 100 percent (less directors' qualifying shares) of the voting shares of the First National Bank of Miramar, Miramar, Florida ("Bank").

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. This Federal Reserve Bank has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, the twenty-seventh largest multibank holding company in Florida, controls four banks with aggregate deposits of \$107.5 million, representing 0.47 of total state deposits. (All banking data are as of December 31, 1973, and reflect acquisitions and formations approved through December 1, 1974.) The relevant market encompasses all of Dade County and that portion of Broward County south of the Dania Canal. Acquisition of Bank, with deposits of \$0.5 million, representing 0.01 percent of deposits in the market, would not alter Applicant's position in the market or the state. Directors of Applicant organized Bank in 1973, and four of Bank's six directors are directors of Applicant or its subsidiaries. Thus, no existing or future competition would be eliminated. Accordingly, competitive considerations are consistent with approval of the application.

The financial and managerial resources and future prospects of Applicant, its subsidiaries, and Bank appear generally satisfactory, and are consistent with approval.

There is no evidence that the banking needs of the community are not being served; however, Applicant proposes to offer safe deposit boxes and to expand Bank's drive-in facilities from one to three lanes and potentially to twelve lanes. Convenience and need factors lend some weight toward approval. It is this Federal Reserve Bank's judgment that consummation of the proposed transaction would be in the public interest, and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be made (a) before the thirtieth calendar day following the effective date of this Order, or (b) later than three months after that date, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Atlanta pursuant to delegated authority.

By order of the Federal Reserve Bank of Atlanta acting under delegated authority for the Board of Governors of the Federal Reserve System, effective January 3, 1975.

[SEAL] MONROE KIMBREL,
President.

[FR Doc.75-1106 Filed 1-13-75; 8:45 am]

MIDWEST BANCSHARES, INC.

Formation of Bank Holding Company

Midwest Bancshares, Inc., Poplar Bluff, Missouri, has applied for the Board's

approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 80 percent or more of the voting shares of Dexter National Bank, Dexter, Missouri. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of St. Louis. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than February 5, 1975.

Board of Governors of the Federal Reserve System, January 6, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.75-1107 Filed 1-13-75; 8:45 am]

SCRIBNER BANSHARES, INC.

Formation of Bank Holding Company

Scribner Bancshares, Inc., Scribner, Nebraska, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 96.7 percent or more of the voting shares of Scribner Bank, Scribner, Nebraska. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Scribner Bancshares, Inc., Scribner, Nebraska, has also applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to retain the assets of Scribner Insurance Agency, Scribner, Nebraska. Notice of the application was published on October 30, 1974 in The Scribner Rustler, a newspaper circulated in Dodge County, Nebraska.

Applicant states that the proposed subsidiary would engage in the following activities: acting as general insurance agent or broker with respect to all types of insurance, including life, health, credit life/health, fire/allied lines, automobile, comprehensive personal liability, general liability, marine/transportation, workmen's compensation, credit, burglary/theft, crop, fidelity/surety, homeowner's multiple peril, farmowner's multiple peril, commercial multiple peril, plate glass and domestic animal, in Scribner, Nebraska, a community that has a population not exceeding 5,000. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competi-

tion, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than February 4, 1975.

Board of Governors of the Federal Reserve System, January 8, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.75-1108 Filed 1-13-75; 8:45 am]

UTAH BANCORPORATION

Acquisition of Bank

Utah Bancorporation, Salt Lake City, Utah, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares of Weber Valley Bank, Ogden, Utah, a proposed new bank. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of San Francisco. Any person wishing to comment on the application should submit views in writing to the Reserve Bank to be received not later than January 27, 1975.

Board of Governors of the Federal Reserve System, January 7, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.75-1109 Filed 1-13-75; 8:45 am]

GENERAL SERVICES ADMINISTRATION

INDEPENDENT RESEARCH AND DEVELOPMENT/BID AND PROPOSAL COSTS

Opportunity for Comment

The purpose of this notice is to make known an interagency task group proposal on Recommendation B-10 of the Commission on Government Procurement concerning the establishment of policies and procedures for a consistent treatment of Independent Research and Development and Bid and Proposal (IR&D/B&P) costs, and to offer an opportunity for public comment thereon. Interested persons may submit their comments to the General Services Administration (AMC); Washington, D.C. 20405. To be given consideration, written comments must be received on or before February 28, 1975.

Background. The Office of Management and Budget (OMB), in memoranda to Heads of Executive Departments and Agencies, dated December 7, 1972 and March 14, 1973, established and outlined plans for coordination of executive branch efforts in response to the Commission on Government Procurement (COGP) Report. Interagency task groups made up of assigned lead and participating agencies were formed to examine and recommend executive branch positions on each of the 149 COGP recommendations. Direction of executive branch efforts on COGP matters is a function which was delegated to the General Services Administration (GSA) by Executive Order 11717 on May 9, 1973.

COGP Recommendation B-10 reads as follows:

Recognize in cost allowability principles that independent research and development (IR&D) and bid and proposal (B&P) expenditures are in the Nation's best interests to promote competition (both domestically and internationally), to advance technology, and to foster economic growth. Establish a policy recognizing IR&D and B&P efforts as necessary costs of doing business and provide that:

a. IR&D and B&P should receive uniform treatment, Government-wide, with exceptions treated by the Office of Federal Procurement Policy (OFPP).

b. Contractor cost centers with 50 percent or more fixed-price Government contracts and sales of commercial products and services should have IR&D and B&P accepted as an overhead item without question as to amount. Reasonableness of costs for other contractors should be determined by the present DOD formula with individual ceilings for IR&D and B&P negotiated and trade-offs between the two accounts permitted.

c. Contractor cost centers with more than 50 percent cost-type contracts should be subject to a relevancy requirement of a potential relationship to the agency function or operation in the opinion of the head of the agency. No relevancy restriction should be applied to the other contractors.

Dissenting Positions of the Commission on Government Procurement: These were two dissents to this recommendation by COGP Commissioners:

Dissenting Position 1. Recognize in cost allowability principles that IR&D and bid and proposal expenditures are in the Nation's best interests to promote competition (both domestically and internationally), to advance technology, and to foster economic growth. Establish a policy recognizing IR&D and B&P efforts as necessary costs of doing business and provide that:

a. IR&D and B&P should receive uniform treatment, Government-wide, with exceptions treated by the Office of Federal Procurement Policy.

b. Allowable projects should have a potential relationship to an agency function or operation in the opinion of the agency head. (These will be determined in the negotiation of advance agreements with contractors who received more than \$2 million in IR&D and B&P payments during their preceding fiscal year.)

c. Agency procurement authorization and appropriation requests should be accompanied by an explanation as to criteria established by the agency head for such allowances as well as the amount of allowances for the past year.

d. A provision should be established whereby the Government would have sufficient access to the contractor's records for its commercial business to enable a determination that IR&D and B&P costs are allowable.

e. In all other cases, the present DOD procedures of a historical formula for reasonableness should be continued.

f. Nothing in these provisions shall preclude a direct contract arrangement for specific R&D projects proposed by a contractor.

Dissenting Position 2. One Commissioner believed that in addition to the prime and dissenting recommendations advanced above, additional mechanisms exist which if explored adequately may offer reasonably acceptable solutions to the IR&D dilemma.

Task Group Proposal for an Executive Branch Position: The following is the task group majority's proposal regarding COGP Recommendation B-10:

a. The Executive Branch should adopt as its standard the policy and procedures presently established in ASPR 15-205.3 (Bid and Proposal Costs) and 15-205.35 (IR&D Costs), with the exception that the relevancy requirement be broadened to encompass Government-wide relevancy with the ASPR and Public Law 91-441, section 203 amended accordingly.

b. This policy would be a satisfactory standard for Government-wide use where dealing with a competitive industrial base.

c. Both the COGP Majority Recommendation and Dissenting Position 1 should be considered unacceptable as currently proposed.

d. The OFPP should be recognized as the authority for the review and authorization of exceptions to the uniform Government-wide IR&D/B&P policy and procedures. The OFPP should also initiate, at an appropriate time, studies of those concepts of Dissenting Position 2 that appear sufficiently viable to be considered in depth.

e. Consideration should be given to application of the CWAS to ASPR Paragraphs 15-205.25 and 205.3 and to the Executive Branch document which implements, Government-wide, the policies and procedures proposed in paragraph a., above.

Publication of this notice does not imply acceptance by the executive branch of the proposed executive branch position. Responses received from interested parties regarding this notice of opportunity for comment will be given careful consideration in the formulation of an executive branch position.

Dated at Washington, D.C. on January 6, 1975.

R. E. ZECHMAN,
Associate Administrator for
Federal Management Policy.

[FR Doc.75-1086 Filed 1-13-75;8:45 am]

[FPMR Temporary Reg. H-9, Supplement 1]

SECRETARY OF STATE

Delegation of Authority

1. **Purpose.** This supplement continues in effect the provisions of FPMR Temporary Regulation H-9, May 9, 1969, and transmits additional provisions of the delegation of authority.

2. **Background.** FPMR Temporary Regulation H-9 delegated authority to the Secretary of State to exchange a leasehold interest for the site of the former Mount Alto Veterans Administration

Hospital, Washington, D.C., for two separate sites in Moscow, Russia, and other related purposes. Since that time there has been enacted the National Environmental Policy Act (NEPA) of 1969, Public Law 91-190, January 1, 1970, 83 Stat. 852, 42 U.S.C. 4321.

3. **Lead agency responsibility.** It has been determined that the General Services Administration for the purposes of complying with NEPA shall be the "lead agency" as provided for by the Council of Environmental Quality Guidelines, 40 CFR 1500.7(b) and accordingly this delegation of authority is amended to provide that the General Services Administration is responsible for compliance with NEPA requirements relating to actions affecting the Mount Alto site.

4. **Effective date.** This regulation is effective immediately.

ARTHUR F. SAMPSON,
Administration of General Services.

JANUARY 3, 1975.

[FR Doc.75-1085 Filed 1-13-75;8:45 am]

GENERAL SERVICES ADMINISTRATION ADVISORY COMMITTEE ON CASH MANAGEMENT

Emergency Notice of Meeting

Pursuant to section 10(a) of the Federal Advisory Committee Act, October 6, 1972, notice is hereby given of the January 22, 1975 meeting of the General Services Administration Advisory Committee on Cash Management. The meeting will convene at 9 a.m. in Room 6009, GSA Building, 18th and F Streets NW., Washington, D.C.

The Committee provides advice to General Services Administration in its effort to study cash management practices and determine the need for policy guidance for optimizing the use of cash resources. Committee advice is being sought as GSA studies the full range of management actions that impact on the flow of cash.

The agenda will include discussions on: (1) Forecasting of net cash outlays, (2) cash disbursements, (3) cash collections, and (4) cash control systems.

The meeting is open to the public (within limitations of conference room facilities). Anyone who wishes to attend or desires further information should contact Mr. John Lordan, Office of Financial Management, OFMP (telephone 202-343-7747).

Publication of this notice was delayed in order to complete the agenda and include the full range of topics on which committee members' advice will be sought.

Dated at Washington, D.C., January 10, 1975.

R. E. ZECHMAN,
Associate Administrator, Office
of Federal Management Policy.

[FR Doc.75-1384 Filed 1-13-75;10:22 am]

INTERNATIONAL TRADE COMMISSION

CHANGE OF NAME OF UNITED STATES TARIFF COMMISSION

Notice is hereby given of the change in the name of the United States Tariff Commission to the United States International Trade Commission, effective January 3, 1975, pursuant to section 171 of the Trade Act of 1974 (Pub. L. 93-618). Section 171 of the Act also provides that any reference in any law of the United States, or in any order, rule, regulation, or other document, to the United States Tariff Commission (or the Tariff Commission) shall be considered to refer to the United States International Trade Commission.

By virtue of the changes in the authority of the Commission under the Trade Act of 1974, notice is hereby given of the intention to issue in due course appropriate rules in connection therewith. Existing rules of practice and procedure of the Commission (19 CFR 201.1-208.6) shall continue in effect, to the extent not inconsistent with law, pending the issuance of the new rules.

Issued: January 9, 1975.

By order of the Commission.

KENNETH R. MASON,
Secretary.

[FR Doc.75-1193 Filed 1-13-75;8:45 am]

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

MUSIC ADVISORY PANEL

Notice of Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92-463), notice is hereby given that a meeting of the Music Advisory Panel to the National Council on the Arts will be held on January 29, 30, 31, 1975 from 9:30 a.m.-5:30 p.m. at the Fairfax Hotel, 2100 Mass. Avenue, NW., Washington, D.C.

The purpose of this meeting is for a general policy discussion. The meeting will be open to the public on a space available basis. Accommodations are limited. Further information can be obtained from Mrs. Luna Diamond, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call (202) 634-7144.

EDWARD M. WOLFE,
Administrative Officer, National
Endowment for the Arts, National
Foundation on the Arts
and the Humanities.

[FR Doc.75-1315 Filed 1-13-75;8:45 am]

OFFICE OF MANAGEMENT AND BUDGET

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in

collecting information from the public received by the Office of Management and Budget on January 8, 1975 (44 U.S.C. 3509). The purpose of publishing this list in the Federal Register is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number(s), if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

The symbol (X) identifies proposals which appear to raise no significant issues, and are to be approved after brief notice thru this release.

Further information about the items on this daily list may be obtained from the clearance office, Office of Management and Budget, Washington, D.C. 20503 (202-395-4529), or from the reviewer listed.

NEW FORMS

U.S. CIVIL SERVICE COMMISSION

Living Pattern Questionnaire: CSC 1039, single-time, Federal employees in Alaska, Hawaii, Territories etc., Raynsford, R., 395-3814.

DEPARTMENT OF COMMERCE

Bureau of the Census:

Travel to Work Survey, AHS-59, annually, households, Ellett, C. A., 395-6172.

Survey of Early Childhood Centers, S328, single-time, nursery schools, Planchon, P., 395-3898.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Health Resources Administration:

Quality Evaluation Survey Instruments for Long-Term Care, FRABHSR1111, single-time, patients and staff in long-term care facilities, Human Resources Division, 395-3532.

Office of Education:

Longitudinal Evaluation of ESAA Pilot and Basic Programs Observation, Interview, and Questionnaire, OE-190-22 thru 29, annually, principal, teachers etc., Human Resources Division, 395-3532.

Financial Status and Performance Reports for State Plans Under Title III, ESEA, OE-385-1, OE-385-2, annually, SEA's, Lowry, R. L., 395-3772.

FEDERAL RESERVE SYSTEM

Debt of other banks held by 20 largest bank holding companies (short), single-time, largest bank holding companies, Hulett, D. T., 395-4730.

TENNESSEE VALLEY AUTHORITY

Logs and Other Wood Received . . . Wood Residue Produced, TVA20004A, annually, processors of timber products, Lowry, R. L., 395-3772.

EXTENSIONS

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

National Institutes of Health:

Application for General Research Support or Biomedical Sciences Support Grant (Combined Form), NIH-147-1, annually, Evinger, S. K., 395-3648.

Annual Progress Report, NIH-147-2, annually, Evinger, S. K., 395-3648.

Annual Expenditures Report, NIH-147-3, on occasion, Evinger, S. K., 395-3648.

U.S. CIVIL SERVICE COMMISSION

Housing Cost Questionnaire (Federal Employees), CSC-689-A, on occasion, Evinger, S. K., 395-3648.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.75-1307 Filed 1-13-75;8:45 am]

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on 01/09/75 (44 U.S.C. 3509). The purpose of publishing this list in the Federal Register is to inform the public.

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NEW FORMS

U.S. CIVIL SERVICE COMMISSION

Supplemental Identification and Personnel Data for Employment of United States Citizen, ILB-3, on occasion, applicants and employees, Evinger, S. K., 395-3648.

DEPARTMENT OF COMMERCE

National Bureau of Standards: Follow-up of Shirley Highway Corridor, Single Occupant Auto User Survey, NBS 1023, single-time, non-respondents to single driver survey, Strasser, A., 395-3880.

DEPARTMENT OF HEALTH, EDUCATION AND WELFARE

Social and Rehabilitation Service:

Manpower supply and demand in rehabilitation study, none, single-time, directors of rehab. training programs, Human Resources Division, 395-3532.

Key Program and Policy Factors Impacting AFCD Forecasts, SRS-NCSS 2C2, semi-annually, staffs in 10 regional offices, Sunderhauf, M. B., 395-4911.

REVISIONS

DEPARTMENT OF AGRICULTURE

Forest Service: Logs and other roundwood received, annually, primary wood using industries, Lowry, R. L., 395-3772.

DEPARTMENT OF COMMERCE

National Bureau of Standards: Follow-up of Shirley Highway Corridor Carpool Survey, NBS 1024, single-time, non-respondents to carpool survey, Strasser, A., 395-3880.

DEPARTMENT OF HEALTH, EDUCATION AND WELFARE

National Institutes of Health: Research Fellowship Application, PHS 416-L-2 thru 16, on occasion, post doctoral fellowship applicants, Lowry, R. L., 395-3772.

EXTENSIONS

U.S. CIVIL SERVICE COMMISSION

Supplemental Application Form, WA-57, on occasion, applicants, Evinger, S. K., 395-3648.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

TV Film Usage Inquiry, NHQ 468, quarterly, tv program mgrs. CR news directors, Evinger, S. K., 395-3648.

RFP 3-510515 ASRDI Aerospace Specialized Information Sources, on occasion, specialized technical information sources, Evinger, S. K., 395-3648.

DEPARTMENT OF HEALTH, EDUCATION AND WELFARE

Health Services Administration: Application for Participation—Exception in Medicare End Stage Renal Disease Program, HSABQA 103, on occasion, hospitals with renal dialysis programs, Evinger, S. K., 395-3648.

DEPARTMENT OF THE INTERIOR

Bureau of Land Management: Logging-Road Right-of-way Permit Application, 2234-8, on occasion, Evinger, S. K., 395-3648.

PHILLIP C. LARSEN,
Budget and Management Officer.

[FR Doc.75-1308 Filed 1-13-75; 8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[File No. 24C-3553]

AMERICAN RECREATION & LAND CO.

Order Temporarily Suspending Exemption

DECEMBER 10, 1974.

I. American Recreation and Land Company ("Issuer"), 8200 Normandale Boulevard, Suite 323, Bloomington, Minnesota 55437, incorporated in the State of Missouri on June 11, 1970, filed with the Chicago Regional Office on January 29, 1973, a Notification on Form 1-A and an Offering Circular pertaining to a proposed offering of 1,000 subordinated debentures in denominations of \$500 each for an aggregate offering price of \$500,000. This filing was made for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) thereof and Regulation A promulgated thereunder. The offering commenced on May 25, 1973 and was completed on July 5, 1973. The offering was underwritten by Inland Securities Corporation of Des Moines, Iowa.

II. The Commission has reason to believe from information reported to it by the staff that:

A. The Issuer's Offering Circular contained untrue statements of material facts and omitted to state material facts necessary to make the statements made, in the light of the circumstances under which they were made, not misleading, concerning, but not limited to the following:

(1) The Issuer failed to disclose in the Offering Circular the actual manner in which

the net proceeds of the offering were to be used.

(2) The Issuer failed to disclose in its Offering Circular that it owed approximately \$684,842 to an affiliate, Equitable Mortgage Investment Company.

(3) The Issuer employed financial statements in its offering which failed to disclose its \$684,842 indebtedness to the aforementioned affiliate.

B. The terms and conditions of Regulation A have not been complied with in that:

(1) The Issuer failed to disclose in the Offering Circular the actual manner in which the net proceeds of the offering were to be used.

(2) The Issuer filed a Form 2-A which falsely reported the manner in which the net proceeds of the offering were used.

(3) The Issuer filed a Form 2-A which falsely reported that \$181,000 remained on hand as unexpended cash proceeds.

C. The offering was made in violation of section 17 of the Securities Act of 1933, as amended.

III. It appearing to the Commission that it is in the public interest and for the protection of investors that the exemption of the Issuer under Regulation A be temporarily suspended.

It is ordered, Pursuant to Rule 261(a) of the general rules and regulations under the Securities Act of 1933, that the exemption under Regulation A be and hereby is temporarily suspended.

It is further ordered, Pursuant to Rule 7 of the Commission's rules of practice, that the Issuer file an answer to the allegations contained in this order within thirty days of the entry thereof.

Notice is hereby given that any person having an interest in the matter may file with the Secretary of the Commission a written request for hearing within thirty days after the entry of this order; that within twenty days after receipt of such request, the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place for said hearing will be promptly given by the Commission. If no hearing is requested, and none is ordered by the Commission, this order shall become permanent on the thirtieth day after its entry and shall remain in effect unless, or until, it is modified or vacated by the Commission.

By the Commission.

[SEAL] SHIRLEY E. HOLLIS,
Assistant Secretary.

[FR Doc.75-1187 Filed 1-13-75; 8:45 am]

[70-5317]

CONSOLIDATED NATURAL GAS CO. ET AL.

Proposals To Transfer Lease Interests

JANUARY 6, 1975.

Notice is hereby given that Consolidated Natural Gas Company ("Consolidated"), 30 Rockefeller Plaza, New York, New York 10020, a registered holding

company, and CNG Producing Company ("CNG Producing") and Consolidated Gas Supply Corporation ("Supply Corp."), 445 West Main Street, Clarksburg, West Virginia, 26301, non-utility subsidiaries of Consolidated, have filed a joint application-declaration, and amendments thereto, with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6, 7, 9, 10 and 12 of the Act and Rules 43, 44, 45 and 50(a) (3) promulgated thereunder as applicable to the following proposed transactions. All interested parties are referred to said amended application-declaration, which is summarized below, for a complete statement of the proposed transactions.

Supply Corp., until 1972, represented the Consolidated system in bidding on and acquiring leases on production properties from the Department of the Interior. It currently owns lease interests on both developed and undeveloped production properties in the Gulf of Mexico and in states proximate thereto. Since 1972, as the result of Federal Power Commission optional pricing orders which have had the effect of putting CNG Producing in a superior competitive position in bidding on and acquiring lease interests, CNG Producing, and not Supply Corp., has represented the Consolidated system in acquiring production properties. Consolidated now proposes to take further steps in making CNG Producing the principal production unit of the Consolidated system by effecting the transfer of all the undeveloped and most of the developed production properties now held by Supply Corp. to CNG Producing.

The proposed transfer will be consummated by the acquisition of the properties by Consolidated from Supply Corp. followed simultaneously by their transfer to CNG Producing. The transfer of the properties, together with miscellaneous equipment and inventories, will be made on the basis of net book cost to Supply Corp. at December 31, 1974. At September 30, 1974, such cost was as follows:

Developed properties.....	\$52,058,000
Undeveloped properties.....	2,639,000
Miscellaneous equipment and inventories	3,125,000
Subtotal	57,822,000
Deferred taxes.....	(6,470,000)
	51,352,000

In exchange for the properties to be transferred to Consolidated, a portion (to be fixed pursuant to a formula) of the long-term indebtedness of Supply Corp. to Consolidated will be cancelled. The balance of the net book cost over the amount of the cancelled indebtedness will be treated as the payment of a dividend in kind to Consolidated. In turn, CNG Producing, in consideration for the properties transferred to it by Consolidated, will issue and deliver 513,520 shares of its common stock, par value \$100 per share.

As a separate transaction from the foregoing, CNG Producing proposes to issue and sell and Consolidated to purchase, 107,550 shares of CNG Producing's common stock for \$10,755,000 and \$50,000,000 of its long-term non-negotiable notes. The common stock to be sold, together with the 513,520 shares of common stock to be issued and delivered in connection with the aforementioned transfer to CNG Producing of the production properties, represents a portion of the common stock which was newly authorized for this purpose (See Holding Company Act Release No. 18753, dated January 2, 1975). The notes will mature \$10,000,000 annually beginning December 31, 1976 and each December 31 thereafter through 1980, will bear interest at the rate of 8.75% per annum, and may be prepaid at any time at CNG Producing's option.

CNG Producing proposes to use the proceeds from the sale of its common stock and notes to (1) repay Consolidated for open account advances totaling \$29,315,000, (2) to repay Supply Corp. for emergency advances totaling \$30,100,000 made to enable CNG Producing to participate in lease acquisitions, and (3) to reimburse Supply Corp. \$1,340,000 for expenditures associated with geological and geophysical studies provided to CNG Producing for the latter's use.

It is stated that the fees, expenses and commissions paid or incurred or to be paid or incurred in connection with the proposed transactions will not exceed \$5,000. The Federal Power Commission has jurisdiction over, and has approved, the transfer of the developed production properties. It is further stated that no State commission, and no other Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than January 30, 1975, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said joint application-declaration, as amended, which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated addresses and proof of service (by affidavit or, in case of an attorney-at-law, by certificate) should be filed with the request. At any time after said date, the joint application-declaration, as amended or as it may be further amended, may be granted and permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or

take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-1188 Filed 1-13-75; 8:45 am]

SMALL BUSINESS ADMINISTRATION

ADVISORY COUNCILS

Charter Renewals

Charters for the following Advisory Councils of the Small Business Administration have been renewed for two years and will expire on January 4, 1977 unless renewed or council is dissolved before that date:

1. National Advisory Council.
2. Small Business Investment Company (SBIC) National Advisory Council.
3. District Councils which take their title from the cities in which they are based as follows:

Albuquerque, Anchorage, Atlanta, Augusta, Baltimore, Birmingham, Boise, Boston, Casper, Charlotte, Chicago, Clarksburg, Cleveland, Columbia, Columbus, Concord, Dallas, Denver, Des Moines, Detroit, Fargo, Hartington, Hartford, Hato Rey, Helena, Honolulu, Houston, Indianapolis, Jackson, Jacksonville, Kansas City, Mo., Las Vegas, Little Rock, Los Angeles, Louisville, Lubbock, Madison, Marshall, Miami, Minneapolis, Montpelier, Nashville, New Orleans, Newark, New York, Oklahoma City, Omaha, Philadelphia, Phoenix, Pittsburgh, Portland, Providence, Richmond, St. Louis, Salt Lake City, San Antonio, San Diego, San Francisco, Seattle, Sioux Falls, Spokane, Syracuse, Washington, D.C., Wichita, Wilmington.

JOHN JAMESON,
Director, Office of Advisory
Councils, Small Business Administration.

[FR Doc.75-1110 Filed 1-13-75; 8:45 am]

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[V-74-4]

CATERPILLAR TRACTOR CO.

Grant of Variance

I. *Background.* Caterpillar Tractor Company, 100 NE Adams Street, Peoria, Illinois 61602 made application pursuant to section 6(d) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1596; 29 U.S.C. 655) and 29 CFR 1905.11 for a variance from the safety standards prescribed in 29 CFR 1910.157(a) (5) and (6). The standard specifies the kinds of mountings allowed for fire extinguishers, and sets the allowable height of the top of the fire extinguishers at 5 ft. for extinguishers under 40 lbs and 3 1/2 ft. for those over 40 lbs. The facility affected by this applica-

tion is Caterpillar Tractor Co., 27th Street and Pershing Road, Decatur, Illinois 62525. Notice of the application was published in the FEDERAL REGISTER on January 16, 1974 (39 FR 2049). The notice invited interested persons, including affected employers and employees, to submit written data, views, and arguments regarding the grant or denial of the variance requested. In addition, affected employers and employees were notified of their right to request a hearing on the application for a variance. No written comments or requests for a hearing have been received.

II. *Facts.* Section 1910.157(a) (5) and (6) requires that fire extinguishers be mounted on the hangers or in the brackets supplied, and that the height of the top of the extinguisher shall not exceed 5 ft. for extinguishers under 40 lbs. and 3 1/2 ft. for those over 40 lbs. The purpose of the standard is to insure safe and secure mounting of the extinguishers, and provide easy access to the extinguishers in an emergency situation. The applicant has mounted its fire extinguishers on retractable boards suspended from the superstructure of the warehouse. In the stored position the bottom of the board is 8 ft. from the floor. When a two foot nylon rope attached to the bottom of the board is pulled, the board springs downward to a position approximately 2 1/2 ft. from the floor. This immediately places the extinguishers within easy reach of the employees. The fire extinguishers and boards are painted fluorescent red for easy visibility throughout the factory. The mountings used to attach the extinguishers to the board are specially designed for this purpose. The pull required to lower the board ranges from approximately 9 lbs. to approximately 26 lbs. depending on the weight of the extinguishers mounted.

III. *Decision.* The system of mounting and storing fire extinguishers which the applicant has devised provides an alternative method for meeting the purpose of the standard. The fire extinguishers are mounted on a board which is normally at an 8 ft. height where the extinguishers will not be bumped or damaged. This type of mounting allows the extinguishers to be hung near aisles or other hazardous areas where they would otherwise be susceptible to being damaged. The extinguishers are readily accessible in that the board on which they are mounted is designed to spring downward to a position from which the extinguishers can be comfortably removed for use when a 2 ft. rope is pulled. The fluorescent red coloring and the height of the board provide easy visibility. For these reasons the applicant is providing a place of employment as safe as that which would be obtained by complying with the standard.

IV. *Order.* Pursuant to authority in section 6(d) of the Williams-Steiger Occupational Safety and Health Act of 1970, and in Secretary of Labor's Order No. 12-71 (36 FR 8754), it is ordered that Caterpillar Tractor Company be, and it is hereby, authorized to mount its fire extinguishers on retractable boards

which hang from the superstructure of the warehouse in lieu of complying with the requirements in § 1910.157(a) (5) and (6). These boards shall meet the following requirements:

(1) The boards shall be located with the bottom no more than 8 ft. from the floor, and shall have a two ft. nylon pull rope attached to the bottom of such boards by which the board can be lowered to a position approximately 2½ ft. from the floor.

(2) The space below and to the sides of such board shall be kept clear so that easy access is provided.

(3) The pull rope shall hang straight down and shall not be looped over anything.

(4) The board shall be counterbalanced in such a manner that the board is easily lowered, but shall not be so delicately balanced that the board will lower accidentally.

(5) All boards shall be maintained in good working order. As soon as possible Caterpillar Tractor Company shall give notice to affected employees of the terms of this order by the same means required to be used to inform them of the application for variance.

Effective date. This order shall become effective on January 14, 1975, and shall remain in effect until modified or revoked in accordance with section 6(d) of the Williams-Steiger Occupational Safety and Health Act of 1970.

Signed at Washington, D.C. this 7th day of January, 1975.

JOHN STENDER,
Assistant Secretary of Labor.

[FR Doc.75-1100 Filed 1-13-75; 8:45 am]

STANDARDS ADVISORY COMMITTEE ON HAZARDOUS MATERIALS LABELING

Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App. I), notice is hereby given that the Standards Advisory Committee on Hazardous Materials Labeling, established under Section 7(b) of the Williams-Steiger Occupational Safety and Health Act of 1970 (29 U.S.C. 656), will hold meetings on January 21 and 22, and February 18 and 19, 1975, in Washington, D.C. These meeting dates were previously announced in a Notice of Meeting published on Friday, November 22, 1974 (39 FR 41003). However, complete details of the meetings were not available at that time. The meetings are open to the public, and all interested parties are encouraged to attend. The meetings will be held in the following locations:

Jan. 21 and 22... Marriott Key Bridge, Georgetown Room, 1401 Lee Highway, Arlington, Va.

Feb. 18 and 19... Conference Room B, Departmental Auditorium, U.S. Department of Labor, Constitution Ave., between 12th and 14th Sts. NW., Washington, D.C.

The Tuesday meeting (January 21 and February 18) will begin at 10 a.m. whereas the Wednesday meetings (January 22 and February 19) will begin at 9 a.m.

These meetings will be the fourth and fifth meetings of the Ad Hoc Committee

on Hazardous Materials Labeling. The sixth meeting is tentatively scheduled for March 18 and 19, 1975, and additional details will be published in a future FEDERAL REGISTER notice. This Committee, which began its deliberations on September 19 and 20, 1974, will submit its recommendations within 270 days of the date of its initial meeting.

On December 17, 1974, Mr. Louis Beliczky, Chairman of the Subgroup on Safety Data Sheets and Training requirements, submitted to the full Committee the following recommendations:

1. **Material Safety Data Sheets (MSDS).** A working paper which recommends that the format for the MSDS be essentially similar to the format contained in the NIOSH recommended standard for an identification system for occupationally hazardous materials.

2. **Training and Indoctrination Programs.** A working paper which recommends the type and frequency of training for employees exposed to the potential hazards covered by the scope of the Committee.

It is not anticipated that the Subgroup on Safety Data Sheets and Training Requirements will conduct any further deliberations; however, its members will work with the Subgroup on Categorizing and Ranking the Hazards of Materials along with Appropriate Labeling and Placard Systems.

At the December meeting, the Subgroup on Categorizing and Ranking the Hazards of Materials along with Appropriate Labeling and Placard Systems heard presentations from NIOSH, DOT, NFPA, and CPSC, and focused attention on symbolic representation of the hazard information associated with materials. Following these presentations, Dr. Boyd Shaffer, Chairman of the Subgroup, led the review of his working paper in light of the NIOSH recommended standard, the working paper submitted by Alan Roberts, the discussion of his fellow subgroup members, and comments from interested members of the public.

The proposed agenda for the January 21 and 22 meeting calls for a brief meeting of the full Committee the morning of the 21st followed by a meeting of the Subgroup on Categorizing and Ranking the Hazards of Materials along with Appropriate Labeling and Placard Systems. This Subgroup will continue its meeting the morning of the 22nd. As mentioned above, the members of the Subgroup on Safety Data Sheets and Training Requirements will work with this group in its activities. Dr. Shaffer, the Subgroup Chairman, will appoint informal work groups to resolve any problematical areas which arise during the two day meeting which might hinder completion of the working paper which will be turned over to the full Committee for consideration. The full Committee will meet the afternoon of the 22nd to plan the remainder of the Committee's work.

The proposed agenda for the February 18 and 19 meeting calls for the full Committee to begin the actual development of a system which could be used to appraise employees of the chemical hazards

to which they are exposed. The Committee will investigate the techniques, procedures, and decision making required to link the various components (Classification/Ranking, Labeling/Placarding, MSDS, and Training) into a system in order to formulate the basic principles from which a standard could be written to satisfy the mandate of section 6(b)(7) of the Occupational Safety and Health Act of 1970.

Agenda items are subject to change as priorities dictate.

Any member of the public wishing to submit written presentations and/or recommendations to the Committee may do so by filing such a statement, together with 20 duplicate copies, with the Committee Management Officer at least seven days before either meeting. Such submissions will be provided to the members of the Committee and will be included in the record of the meeting.

The Committee Chairman may permit oral statements before the Committee by interested persons if time permits. Therefore, persons desiring to make an oral presentation should submit a written request to the Committee Management Officer at least seven days before either meeting. The request must have the name and address of the person wishing to appear, the capacity in which he will appear, a short summary of the intended presentation, and the approximate amount of time required for his presentation. Such submissions will be provided to the Chairman for his consideration.

All materials which have been submitted to or developed by the Committee, as well as the official record of all Committee proceedings, are available for public inspection and copying at the Committee Management Office. Any copying will be done at the cost of 20¢ per page. However, it should be understood that no arrangement will be made to supply Committee materials to the public at any meeting site.

Any communications relating to Committee activities or requests for copies of materials utilized by the Committee should be addressed to:

Nancy Huckle
Committee Management Officer
Occupational Safety and Health Administration
1726 M Street, NW., Room 200
Washington, D.C. 20210
Phone: 202/961-2248, 3181

Signed at Washington, D.C. this 8th day of January 1975.

JOHN STENDER,
Assistant Secretary of Labor.

[FR Doc.75-1151 Filed 1-13-75; 8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice 672]

ASSIGNMENT OF HEARINGS

JANUARY 9, 1975.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only

once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested. No amendments will be entertained after the date of this publication.

I&S M-28009, Increased Fares, Between New York, N.Y., and New Jersey, now assigned February 12, 1975, at New York, N.Y., will be held in Courtroom A238, Court of Claims, 26 Federal Plaza.

I&S 8995, Minimum Charges on Carload Shipments—Eastern Territory, now assigned January 21, 1975, at Washington, D.C., is postponed to February 4, 1975, at the Office of the Interstate Commerce Commission, Washington, D.C.

MC 136032 Sub 2, Texas-Continental Express, Inc., now assigned January 20, 1975, at New York, New York, postponed to a date to be hereafter fixed.

MC 114273 Sub 171, Cedar Rapids Steel Transportation, Inc., now assigned February 4, 1975, at Columbus, Ohio, will be held in Room 235, Federal Bldg., 85 Marconi Blvd.

MC 107295 Sub 707, Pre-Fab Transit Co., now assigned February 6, 1975, at Columbus, Ohio, will be held in Room 235, Federal Bldg., 85 Marconi Blvd.

MC 138530 Subs 8 & 10, C. O. P. Transport, Inc., now assigned February 10, 1975, at Columbus, Ohio, will be held in Room 235, Federal Bldg., 85 Marconi Blvd.

MC 125533 Sub 6, George W. Kugler, now assigned February 12, 1975, at Columbus, Ohio, will be held in Room 235, Federal Bldg., 85 Marconi Blvd.

MC 29079 Sub 75, Brada Miller Freight System, Inc., MC 107295 Sub 753, Pre-Fab Transit Co., A Corp., now being assigned February 10, 1975, at Chicago, Ill., in a hearing room to be later designated.

MC 113678 Sub 539, Curtis, Inc., now assigned January 20, 1975, is cancelled and the application dismissed.

MC-F-12243, Wilson Freight Company—Purchase—M. W. Haley Trucking Co., MC 13123 Sub 74, Wilson Freight Company, now assigned February 25, 1975, at Columbus, Ohio, postponed to a date to be hereafter fixed.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 75-1201 Filed 1-13-75; 8:45 am]

[Notice No. 3 TA]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JANUARY 8, 1975.

The following are notices of filing of application; except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application, for temporary authority under section 210a (a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR 1131), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of

an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

MOTOR CARRIER OF PROPERTY

No. MC 2900 (Sub-No. 270TA), filed December 30, 1974. Applicant: RYDER TRUCK LINES, INC., 2050 Kings Road, P.O. Box 2408, Jacksonville, Fla. 32203. Applicant's representative: S. E. Somers, Jr. (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), serving McDonough, Ga., as an off route point in connection with applicant's presently authorized regular routes, for 180 days. Supporting shippers: There are approximately (7) statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: G. H. Fauss, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, 400 West Bay Street, Box 35008, Jacksonville, Fla. 32202.

NOTE.—Applicant intends to tack with MC 2900 and subs thereunder.

No. MC 30378 (Sub-No. 56TA) (Amendment), filed November 26, 1974, published in the FEDERAL REGISTER, issue of December 11, 1974, and republished as amended this issue. Applicant: ASSOCIATED TRANSPORT, INC., 9050 Pershall Road, Hazelwood, Mo. 63042. Applicant's representative: Marshall D. Becker, Suite 530, Univac Bldg., 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Automobiles, tractors, trucks, and new chassis*, in initial and secondary movements, in truckaway and driveaway service, and *farm tractors*, in secondary movements, in truckaway service, from the plant site of the Ford Motor Company at Claycomo, Mo., to points in Iowa on and south of U.S. Highway 34 to Mt. Pleasant, Iowa, thence on and east of a line commencing with Northbound U.S. Highway 218 to Iowa City, Iowa, thence along Iowa State Highway 1 to its junc-

tion with U.S. Highway 151, thence along U.S. Highway 151 to the Iowa-Illinois State line, and to points in Nebraska on and south of a line commencing at the Missouri River, thence over U.S. Highway 34 to Grand Island, Nebr., thence over U.S. Highway 30 to the Nebraska-Wyoming State line, restricted to traffic originating at the plant sites of the Ford Motor Company and its subsidiaries;

(2) *New, used, and unfinished motor vehicles*, in truckaway and driveaway service, between points in Kansas, Missouri, Oklahoma, and Nebraska, restricted to traffic moving from or to dealerships or facilities of the Ford Motor Company and its subsidiaries; (3) *Automobiles, trucks, farm tractors, and chassis*, in secondary movements, in truckaway service, from the plant site of the Ford Motor Company at Claycomo, Mo., to points in Arkansas, Illinois, Minnesota, and Wisconsin, restricted to traffic originating at plant sites of the Ford Motor Company, and its subsidiaries; (4) *Farm tractors*, in initial or secondary movements, in truckaway service, from the plant site of the Ford Motor Company at Claycomo, Mo., to points in Oregon, Nevada, Arkansas, Colorado, Idaho, Montana, New Mexico, Utah, and Wyoming, restricted to traffic originating at the plant sites of the Ford Motor Company, and its subsidiaries; (5) *Automobiles and trucks*, in secondary movements, in driveaway service, from the plant site of the Ford Motor Company at Claycomo, Mo., to points in Arkansas, Illinois, Minnesota, and Wisconsin, restricted to traffic originating at the plant sites of the Ford Motor Company and its subsidiaries; and (6) *New automobiles, new trucks, and new chassis*, in initial movements, in driveaway service, from the plant site of the Ford Motor Company at Claycomo, Mo., to points in Kansas, Missouri, and Oklahoma, restricted to traffic originating at the above named plant site, for 180 days. Supporting shipper: Ford Motor Company, Ford Div. General Office, Rotunda and Southfield, Dearborn, Mich. 48121. Send protests to: J. P. Werthmann, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 1465, 210 N. 12th Street, St. Louis, Mo. 63101.

No. MC 55889 (Sub-No. 43TA), filed January 2, 1975. Applicant: AAA COOPER TRANSPORTATION, P.O. Box 2207, Dothan, Ala. 36301. Applicant's representative: Kim D. Mann, 915 Pennsylvania Bldg., Washington, D.C. 20004. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), serving Mobile, Ala., and points in its commercial zone as an intermediate point on applicant's presently authorized regular route between New Orleans, Louisiana, and Geneva, Ala., restricted to the transportation of the transportation of traffic

moving from, to, or through New Orleans, Louisiana, or points in its commercial zone for 180 days.

NOTE.—Applicant can already provide service between New Orleans and Mobile by joinder with its existing authority at Bay Minette, Ala., a point 37 miles northeast of Mobile. The purpose of this application is to eliminate Bay Minette as a point of joinder. Supporting shipper: None. Send protests to: Clifford W. White, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 1616, 2121 Building, Birmingham, Ala. 35203.

No. MC 60271 (Sub-No. 6TA), filed January 2, 1975. Applicant: HARPER TRUCK LINE, INC., P.O. Box 288, Monroe, La. 71201. Applicant's representative: Wilbur C. Littleton (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Wood sawdust and shavings*, from Forest, Miss., to Monroeville, Ala., for 180 days. Supporting shipper: Olinkraft, Inc., P.O. Box 488, West Monroe, La. 71291. Send protests to: District Supervisor William H. Land, Jr., Interstate Commerce Commission, Bureau of Operations, 2519 Federal Office Building, 700 West Capitol, Little Rock, Ark. 72201.

No. MC 107882 (Sub-No. 36TA), filed December 17, 1974. Applicant: ARMORED MOTOR SERVICE CORPORATION, 160 Ewingville Road, Trenton, N.J. 08638. Applicant's representative: Herbert A. Dublin, Esq., Federal Bar Bldg., 1819 H Street, NW., Washington, D.C. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Gasoline coupons*, between any point or place in the United States (except Alaska and Hawaii), for account of General Services Administration, for 180 days. Supporting shipper: General Services Administration, Crystal Mall Bldg., No. 4, Washington, D.C. 20406. Send protests to: Richard M. Regan, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 428 E. State Street, Room 204, Trenton, N.J. 08608.

No. MC 111729 (Sub-No. 491TA), filed January 2, 1975. Applicant: PUROLATOR COURIER CORP., 2 Nevada Drive, Lake Success, N.Y. 11040. Applicant's representative: John M. Delany (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Radiopharmaceuticals, radioactive drugs, and medical isotopes*, between Arlington Heights, Ill., on the one hand, and, on the other, points in New York, Pennsylvania, and West Virginia; (2) *Automotive emergency replacement parts*, restricted against the transportation of packages or articles weighing in the aggregate more than 100 pounds from one consignor to one consignee on any one day, between Sharon Hill, Pa., on the one hand, and, on the other, points in Delaware, New Jersey, and New York; and (3) *Business papers, records, and audit and accounting media of all kinds*, between Sharon Hill, Pa., on the one hand, and, on the other, points in Dela-

ware, New Jersey, and New York, for 180 days. Supporting shippers: American Motors, 1640 Stone Ridge Drive, Stone Mountain, Ga. 30083, and Amersham/Searle, 2636 South Clearbrook Drive, Arlington Heights, Ill. 60005. Send protests to: Anthony D. Gialimo, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 119792 (Sub-No. 48TA) (Correction), filed December 6, 1974, and published in the FEDERAL REGISTER issue of December 18, 1974, and republished as corrected this issue. Applicant: LORBER TRUCK SALES & SERVICE, INC., 1140 Military Road, Buffalo, N.Y. 14217. Applicant's representative: William J. Hirsch, 35 Court Street, Buffalo, N.Y. 14217. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Potatoes and frozen potato products*, from the plantsite and storage facilities of J. R. Simplot Company, Inc., at Crookston and Minneapolis, Minn., to points in Kentucky, Tennessee, Alabama, Mississippi, Louisiana, North Carolina, South Carolina, Georgia, Virginia, and Florida, for 180 days. Supporting shipper: Bill R. Daniels, General Manager, J. R. Simplot Company, Inc., P.O. Box 618, Crookston, Minn. 57616. Send protests to: Robert G. Anderson, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1086, Chicago, Ill. 60604.

NOTE.—The purpose of this republication is to change Alaska to Alabama as a destination state.

No. MC 125527 (Sub-No. 2TA), filed January 3, 1975. Applicant: OWENS BROS. TRUCKING & LIME CO., Bernie, Mo. 63822. Applicant's representative: Thomas P. Rose, Jefferson Building, P.O. Box 205, Jefferson City, Mo. 65101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fertilizer and dry fertilizer materials*, in bulk, from the storage facilities used by Cargill Incorporated at or near New Madrid, Mo., to points in Arkansas, Illinois, Iowa, Kentucky, and Tennessee, for 180 days. Supporting shipper: Cargill Incorporated, 304 Board of Trade Building, Peoria, Ill. 61602. Send protests to: J. P. Werthmann, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 1465, 210 N. 12th Street, St. Louis, Mo. 63101.

No. MC 126276 (Sub-No. 111TA), filed December 31, 1974. Applicant: FAST MOTOR SERVICE, INC., 9100 Plainfield Road, Brookfield, Ill. 60513. Applicant's representative: Albert A. Andrin, 29 S. LaSalle Street, Chicago, Ill. 60603. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Metal containers and metal container ends*, except refuse containers, from the plantsite of Owens-Illinois, Inc., at Perrysburg, Ohio, to Baltimore, Md., for 180 days. Supporting shippers: Mr. Robert A. Buster, Manager—Rates & Services, Owens-Illi-

nois, Inc., P.O. Box 1035, Toledo, Ohio 43666. Send protests to: Robert G. Anderson, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC 126276 (Sub-No. 112TA), filed January 3, 1975. Applicant: FAST MOTOR SERVICE, INC., 9100 Plainfield Road, Brookfield, Ill. 60513. Applicant's representative: James C. Hardman, 127 N. Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Paper and paper products, plastic products, and products produced or distributed by manufacturers and converters of paper and paper products* (except commodities in bulk), from Millville (Cumberland County), N.J., to Chicago and Shelbyville, Ill., for 180 days. Supporting shipper: Daniel J. Dorney, District Manager of Distribution-Sales Service, Continental Can Company, Inc., 555 Continental Plaza, Three Rivers, Mich. 49093. Send protests to: Robert G. Anderson, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC 129034 (Sub-No. 7TA), filed December 19, 1974. Applicant: LOOMIS COURIER SERVICE, INC., 808 Burlingame Road, Suite 108, Burlingame, Calif. 94010. Applicant's representative: Lawrence V. Smart, Jr., 419 NW. 23rd Avenue, Portland, Ore. 97210. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) *Cash letters*, between points in King County, Wash., and points in Boundary, Bonner, Kootenai, Benewah, Shoshone, Latah, Clearwater, Nez Perce, Lewis, and Idaho County, Idaho; (2) *commercial documents, business records, accounting and audit media, automated processing media, and related records and materials*; between points in King, Spokane, Whitman, Garfield and Asotin Counties, Wash., and Boundary, Bonner, Kootenai, Shoshone, Benewah, Latah, Clearwater, Nez Perce, Lewis, and Idaho Counties, Idaho, for 180 days. Supporting shippers: There are approximately statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: L. D. Boone, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 858 Federal Bldg., 915 Second Avenue, Seattle, Wash. 98101.

No. MC 129516 (Sub-No. 37TA), filed January 3, 1975. Applicant: PATTONS, INC., 2300 Canyon Road, Ellensburg, Wash. 98926. Applicant's representative: James T. Johnson, 1610 IBM Building, Seattle, Wash. 98101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dry fertilizer in sacks*, from West

Sacramento, Calif., to points in Washington, for 180 days. Supporting shipper: Wilson & Geo. Meyer & Co., 318 Queen Anne Avenue North, Seattle, Wash. 98109. Send protests to: District Supervisor W. J. Huetig, Interstate Commerce Commission, Bureau of Operations, 114 Pioneer Courthouse, 555 SW. Yamhill Street, Portland, Oreg. 97204.

No. MC 133221 (Sub-No. 22TA), filed January 3, 1975. Applicant: OVERLAND CO., INC., 1991 Buford Highway, Lawrenceville, Ga. 30245. Applicant's representative: K. Edward Wolcott, Watkins and Daniell, Suite 1600, First Federal Bldg., Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lead-covered copper cable*, for reclamation purposes, from points in Anderson, Greenville, Spartanburg, Cherokee, York Counties, South Carolina; Gaston, Mecklenburg, Cabarrus, Rowan, Davidson, Guilford, Alamance, Orange, Durham, Granville, Vance Counties, North Carolina, near or adjacent to the right-of-way of the Richmond-Greensboro-Charlotte-Atlanta A & B Cables of American Telephone and Telegraph Company, to the facilities of Nassay Smelting, a Division of Key-Stone Metals at Greensboro, Ga., for 180 days. Supporting shipper: American Telephone and Telegraph Company, 100 Edgewood Avenue, Room 1205, Atlanta, Ga. 30318. Send protests to: William L. Scroggs, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 546, 1252 W. Peachtree St. NW., Atlanta, Ga. 30309.

No. MC 134301 (Sub-No. 5TA), filed December 30, 1974. Applicant: CHARACTERWAYS TRANSPORTATION LIMITED, 1901 Oxford Street, London, Ontario, Canada. Applicant's representative: Wilhelmina Boersma, 1600 First Federal Bldg., Detroit, Mich. 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except Classes A and B explosives, household goods, commodities in bulk and those requiring special equipment, moving on air bills of lading), (a) between the port of entry on the United States-Canada International Boundary line at or near Detroit, Mich., on the one hand, and, on the other, Detroit Metropolitan Airport, Romulus, Mich.; O'Hare Airport, Chicago, Ill.; and Cleveland, Ohio, airport, and (b) between the port of entry on the United States-Canada International Boundary line at or near Buffalo, N.Y., on the one hand, and, on the other, the Buffalo and Rochester, N.Y., airports, J. F. Kennedy International and La Guardia Airports, New York, N.Y., and Greater Philadelphia Airport, Philadelphia, Pa., restricted to traffic moving to or from Toronto International Airport and having either an immediately prior or subsequent movement by air, and restricted to the use of special equipment having roller beds suitable for handling of aircraft type pallets. Supporting shippers: Trans Mediter-

anean Airways, District Sales Manager-Canada, Louis F. Colizza, 1 Place Ville Marie, Suite 1911, Montreal, Quebec, Canada H3B 2C3; Air Canada, Sales & Svcs Support Director, Central & Southern Region, 130 Bloor Street, W. Toronto, Ontario, Canada; KLM Royal Dutch Airlines, Cargo Sales Manager—Ontario, J de Korte, 335 Bay Street, Suite 600, Toronto, Ontario, Canada M5H 1M6; and Emery Air Freight Corporation, Manager Donald J. Dewar, P.O. Box 65, Toronto International Airport. Send protests to: Melvin F. Kirsch, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1110 Broderick Tower, 10 Witherell, Detroit, Mich. 48226.

No. MC 134956 (Sub-No. 1TA), filed January 2, 1975. Applicant: BRENNAN TRANSPORTATION CO., INC., 1989 Amsterdam Avenue, New York, N.Y. 10032. Applicant's representative: James G. McGoldrick, 20 Broad Street, New York, N.Y. 10031. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Structural steel and metal deck*, from Piscataway, N.J., and New York City, N.Y., and Baltimore, Md., to New York, N.Y., for 180 days. Supporting shipper: Harris Structural Steel Company, Inc., P.O. Box #1, Piscataway, N.J. 08854. Send protests to: Stephen P. Tomany, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 135420 (Sub-No. 8TA), filed January 3, 1975. Applicant: L & H REFRIGERATED EXPRESS, INC., 2313 Fairview Drive, Norfolk, Nebr. 68701. Applicant's representative: Marshall Becker, Suite 530, Univac Building, 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Carpet, fute and hair padding*, from plantsite and storage facilities of General Felt Industries at or near Philadelphia, Pa., to the facilities of Cubbison Distributing, Inc., at or near Omaha and Lincoln, Nebr., for 180 days. Supporting shipper: Cubbison Distributing, Inc. of Omaha, Billie I. Rosso, Secretary, 4507 So. 88th, Omaha, Nebr. Send protests to: District Supervisor Carroll Russell, Interstate Commerce Commission, Bureau of Operations, Suite 620, Union Pacific Plaza, 110 North 14 Street, Omaha, Nebr. 68102.

No. MC 138627 (Sub-No. 5TA), filed January 2, 1975. Applicant: SMITHWAY MOTOR XPRESS, INC., P.O. Box 404, Rte. 4, Ft. Dodge, Iowa 50501. Applicant's representative: Arib L. Westergren, Suite 530 Univac Bldg., 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crushed motor vehicles*, from points in Minnesota to Alton and Chicago, Ill., and their respective commercial zones, for 180 days. Supporting shipper: Acme Transfer, Inc.,

Box 404, Ft. Dodge, Iowa 50501. Send protests to: Herbert W. Allen, District Supervisor, Interstate Commerce Commission, 875 Federal Bldg., Des Moines, Iowa 50309.

No. MC 139573 (Sub-No. 1TA), filed January 3, 1975. Applicant: ADRIAN VANZANDBERGEN, Route #2, Orange City, Iowa 51041. Applicant's representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Agricultural sprayers and applicators and related parts and accessories*, from the facilities utilized by Dethmers Mfg. Co. at or near Boyden, Iowa, to points in Illinois, Indiana, Ohio, Nebraska, Missouri, Tennessee, Georgia, Texas, Oklahoma, Kansas, Minnesota, and Wisconsin; and (2) *Materials and supplies* utilized in the production and manufacture of agricultural sprayers and applicators and *related parts and accessories*, from points in Wisconsin and Illinois, to the facilities utilized by Dethmers Mfg. Co. at or near Boyden, Iowa, under contract with Dethmers Mfg. Co., for 180 days. Restrictions: Restricted against the transportation of commodities which by reason of their size and weight require special handling or equipment, and further restricted against the transportation of commodities in bulk. Supporting shipper: Dethmers Mfg. Co., James Korseelman, President, Boyden, Iowa 51234. Send protests to: District Supervisor Carroll Russell, Interstate Commerce Commission, Bureau of Operations, Suite 620 Union Pacific Plaza, 110 North 14 St., Omaha, Nebr. 68102.

No. MC 140253 (Sub-No. 1TA), filed January 2, 1975. Applicant: A M R COMPANY, P.O. Box 824, Kearney, Nebr. 68847. Applicant's representative: Frederick J. Coffman, 521 South 14 Street, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Antique and classic automobiles and antique and classic motorcycles* in truckaway service utilizing van-type trailers only between points in the United States (except Alaska and Hawaii), for 180 days. (The exact destination cannot be shown since the bidders for these classic and antique cars are expected from points throughout the United States and there is no way at this time to ascertain who will acquire the autos.) Supporting shipper: Kruse Classic Auction Company, Inc., Dean Kruse, Pres., 300 South Union Street, Auburn, Ind. 46706. Send protests to: District Supervisor Carroll Russell, Interstate Commerce Commission, Bureau of Operations, Suite 620 Union Pacific Plaza, 110 North 14 Street, Omaha, Nebr. 68102.

No. MC 140470 (Sub-No. 1TA), filed January 3, 1975. Applicant: C. WHITE AND SON, INC., Evans Road, Rocky Hill, Conn. 06067. Applicant's representative: S. Harrison Kahn, Suite 733 Investment Bldg., Washington, D.C. 20005.

Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fuel oil*, in bulk, in tank vehicles, from the storage facility of the Phillips Petroleum Company, Dividend Road, Rocky Hill, Conn., to the plantsite and facilities of the Corning Glass Works, located at or near Central Falls, R.I., for 90 days. Supporting shipper: Corning Glass Works, Corning, N.Y. 14830. Send protests to: D. Seavey, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 324 U.S. Post Office Building, 135 High Street, Hartford, Conn. 06101.

No. MC 140475 (Sub-No. 1TA), filed January 3, 1975. Applicant: W. H. HOUSTON, Holcomb, Mo. 63852. Applicant's representative: Thomas P. Rose, P.O. Box 205, Jefferson City, Mo. 65101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer and dry fertilizer materials*, in bulk, from the storage facilities used by Cargill Incorporated at or near New Madrid, Mo., to points in Arkansas, Illinois, Iowa, Kentucky, and Tennessee, for 180 days. Supporting shipper: Cargill Incorporated, 304 Board of Trade Building, Peoria, Ill. 61602. Send protests to: J. P. Werthmann, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 1465, 210 North 12th Street, St. Louis, Mo. 63101.

No. MC 140477 (Sub-No. 1TA), filed January 2, 1975. Applicant: SEABROUCK TRANSPORT, INC., P.O. Box 329, Crookston, Minn. 56716. Applicant's representative: James B. Hovland, 425 Gate City Building, Fargo, N. Dak. 58102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages, related advertising material and articles* dealt in by wholesale malt beverage distributors, from Milwaukee, Wis.; Peoria, Ill. and Minneapolis, Minn., to Minot and Williston, N. Dak., for 180 days. Supporting shippers: Morelli Distributing, Inc., P.O. Box 1517, Minot, N. Dak. 58701 and All Star Distributing, P.O. Box 1517, Minot, N. Dak. 58701. Send protests to: Joseph M. Ambs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, P.O. Box 2340, Fargo, N. Dak. 58102.

No. MC 29601 (Sub-No. 15TA), filed January 2, 1975. Applicant: MIDWEST COACHES, INC., 216 North Second Street, P.O. Box 226, Mankota, Minn. 56001. Applicant's representative: Val M. Higgins, 1000 First National Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express and newspapers* in the same vehicle; between the junction of U.S. Highways 14 and 59, north of Garvin, Minn., and Brookings, South Dakota, serving all intermediate points, from the junction of U.S. Highways 14 and 59 over U.S. Highway 14 to Brookings, and return over the same route, for 180 days. Sup-

porting shippers: There are approximately 11 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 414 Federal Bldg., and U.S. Court House, 110 South 4th St., Minneapolis, Minn. 55401.

NOTE.—Applicant requests joinder but does not provide sufficient information for a determination before the Commission.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.
[FR Doc. 75-1202 Filed 1-13-75; 8:45 am]

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY

Elimination of Gateway Applications

JANUARY 9, 1975.

The following applications to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's Gateway Elimination Rules (49 CFR 1065(d)(2)), and notice thereof to all interested persons is hereby given as provided in such rules.

Carriers having a genuine interest in an application may file an original and three copies of verified statements in opposition with the Interstate Commerce Commission within 30 days from the date of publication. (This procedure is outlined in the Commission's report and order in Gateway Elimination, 119 M.C.C. 530.) A copy of the verified statement in opposition must also be served upon applicant or its named representative. The verified statement should contain all the evidence upon which protestant relies in the application proceeding, including a detailed statement of protestant's interest in the proposal.

No. MC 14702 (Sub-No. 62G), filed June 4, 1974. Applicant: OHIO FAST FREIGHT, INC., P.O. Box 808, Warren, Ohio 44482. Applicant's representative: Paul F. Beery, 8 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron, steel, manufactured iron and steel articles, motors, machinery, and machinery parts*, except commodities requiring special equipment, between points in West Virginia, on the one hand, and, on the other, points in Buffalo and Rochester, N.Y. The purpose of this filing is to eliminate the gateway at Warren, Ohio. (2) *Iron, steel, manufactured iron and steel articles, motors, machinery, and machinery parts*, except commodities requiring special equipment, from points in West Virginia to points in New York on and west of New York Highway 14. The purpose of this filing is to eliminate

the gateways at Warren, Ohio and either Canton, Louisville or Massillon, Ohio. (3) *Iron, steel, manufactured iron and steel articles, motors, machinery, and machinery parts*, except commodities requiring special equipment, between Hancock, Brooke, Ohio, and Marshall Counties, W. Virginia, and points in Erie, Crawford, Mercer, Venango, Lawrence, Beaver, Washington, Allegheny, Butler, and Greene Counties, Pa., on the one hand, and, on the other, points in New York east of a line extending from the shore of Lake Ontario along New York Highway 18 to Rochester, thence over U.S. Highway 15 from Rochester to Lakeville, thence over U.S. Highway 20-A from Lakeville to Leicester, thence over New York Highway 36 from Leicester to Mt. Morris, thence over New York Highway 408 from Mt. Morris to junction with New York Highway 16, near Hinsdale, thence over New York Highway 16 from said junction to Olean, and thence over New York Highway 16-A to the New York-Pennsylvania state line, points and places in West Virginia, Pennsylvania, New Jersey, Virginia, Maryland, and the District of Columbia. The purpose of this filing is to eliminate the gateway at Warren, Ohio. (4) *Iron and steel, and iron and steel articles*, from Hancock, Brooke, Ohio, and Marshall Counties, W. Va. and Erie, Crawford, Mercer, Venango, Lawrence, Beaver, Washington, Allegheny, Butler, and Greene Counties, Pa., to points in New York on and west of New York Highway 14. The purpose of this filing is to eliminate the gateways at Wooster, Ohio, or Canton, Louisville, or Massillon, Ohio.

No. MC 33093 (Sub-No. 5G), filed June 4, 1974. Applicant: GRAY VAN LINES, INC., 615 SW. 9th Street, Oklahoma City, Okla. 73125. Applicant's representative: Robert J. Gallagher, 1776 Broadway, New York, N.Y. 10019. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, (1) between points in Arkansas, Louisiana, Oklahoma, and Texas, on the one hand, and, on the other, points in Alabama, Arkansas, Georgia, Illinois, Kansas, Louisiana, Mississippi, Memphis, Tenn., Missouri, Texas, and Florida on and north of Highway 90; and (2) between points in Illinois, Kansas, Missouri, on the one hand, and, on the other, points in Alabama, Georgia, Memphis, Tenn., Mississippi, and Florida on and north of Highway 90. The purpose of this filing is to eliminate the gateways at McIntosh, Le Flore, Atoka, Choctaw, and McCurtain Counties, Okla., and New Orleans, La., and Columbia, Ark.

No. MC 59247 (Sub-No. 6-G), filed June 4, 1974. Applicant: LINDEN MOTOR FREIGHT CO., INC., 1300 Lower Road, Linden, N.J. 07036. Applicant's representative: William Biederman, 280 Broadway, New York, N.Y. 10007. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *General commodities* (except those of unusual value, Classes A and B explosives,

livestock, used furniture, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), between points in New York, New Jersey, Pennsylvania, Delaware, Maryland, Connecticut, Massachusetts and Rhode Island; and (B) *Chemicals and such materials and supplies* as are used in the manufacture and sale of chemical products, acids, chemicals, containers and chemical supplies in containers and in tank vehicles, (1) From points in New Jersey north of a line drawn between Phillipsburgh and Asbury Park, N.J., to points in Connecticut, Delaware, that part of New York east and south of New York Highway 7, that part of Maryland east of a line beginning at the Pennsylvania-Maryland state line and extending along Interstate Highway 83 (formerly U.S. Highway 111) to Baltimore, Md., including points in Maryland on the Del-Mar-Virginia Peninsula, and that part of Pennsylvania east of a line beginning at the New York-Pennsylvania state line and extending along U.S. Highway 11 to Harrisburg, Pa., thence along Interstate Highway 83 (formerly portion of U.S. Highway 111) to York, Pa., and thence along unnumbered highway (formerly portion of U.S. Highway 111) to the Pennsylvania-Maryland state line including points on the indicated portions of the highways specified; (2) Between points in Massachusetts, Connecticut and Rhode Island, on the one hand, and, on the other, points in that part of New York on and south of New York Highway 7 including New York, N.Y., and points on Long Island, N.Y.; (3) From points in Massachusetts and Connecticut, to that part of Pennsylvania east of a line beginning at the New York-Pennsylvania state line and extending along U.S. Highway 11 to Harrisburg, Pa., thence along Interstate Highway 83 (formerly a portion of U.S. Highway 111) to York, Pa., and thence along an unnumbered highway (formerly portion of U.S. Highway 111) to the Pennsylvania-Maryland state line, including points on the indicated portions of the highways specified; and (4) Between Philadelphia, Pa., on the one hand, and, on the other, points in New Jersey north of a line between Philadelphia and Asbury Park, N.J. The purpose of this filing is to eliminate the gateways at Linden, N.J., and New York, N.Y.

No. MC 75840 (Sub-No. 114G), filed May 29, 1974. Applicant: MALONE FREIGHT LINES, INC., 200 South 35th Street, Birmingham, Ala. 35222. Applicant's representative: Guy H. Postell, Suite 713, 3384 Peachtree Road NE, Atlanta, Ga. 30326. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *General commodities*, except those of unusual value, dangerous explosives, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, and livestock, *Between* Mississippi, New Orleans, La., Alabama (Florence

and 25 miles thereof) (Birmingham and 65 miles thereof, and Montgomery, and only on traffic to and from Ohio and West Virginia), Georgia, South Carolina, and Tennessee (on, east, and south of a line beginning at the Georgia-Tennessee State line and extending along U.S. Highway 27 to junction U.S. Highway 70, thence along U.S. Highway 70 to Knoxville, thence along U.S. Highway 11W to the Tennessee-Virginia State line, and Memphis), on the one hand, and, on the other, points in the states of Delaware, Maryland, New Jersey, Pennsylvania, South Carolina (only from or to points in Georgia), Virginia, District of Columbia, New York (on and south of a line beginning at Oswego and extending along U.S. Highway 104, to Mexico, thence along New York Highway 69 to Rome, thence along New York Highway 49 to Utica, thence along New York Highway 5 to Schenectady, thence along New York Highway 7 to Troy, and thence along New York Highway 2 to the New York-Massachusetts State line), Ohio (except from or to Georgia, South Carolina, Mississippi, New Orleans, Louisiana, and Memphis, Tenn.), and West Virginia (except from or to Mississippi, New Orleans, La., and Memphis, Tenn.). The purpose of this filing is to eliminate the gateways (a) on traffic from and to Mississippi and New Orleans, La., the gateway of Birmingham, Ala., and points within 65 miles thereof and Montgomery, Ala., (b) on traffic from and to Alabama (Birmingham, Ala., and 65 miles thereof and Montgomery), Georgia, South Carolina, and Tennessee points named, the gateways of Elkin or Statesville, N.C., (c) on traffic from and to Alabama points within 25 miles radius of Florence, Ala., the gateways named in (a) and (b) herein, and (d) on traffic from and to Memphis, Tenn., the gateway points in Mississippi and north of U.S. Highway 82 and east of U.S. Highway 51, and the gateway named in (a) herein.

(2) *General commodities*, except those of unusual value, dangerous explosives, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading and livestock, *Between* Florence, Ala., and points in Alabama within 25 miles thereof, on the one hand, and, on the other, points in North Carolina, South Carolina, New Orleans, La., and points in Arkansas (on and east of a line beginning at the Arkansas-Louisiana State line, and extending along U.S. Highway 65 to Little Rock, Ark., and thence along U.S. Highway 67 to the Arkansas-Missouri State line) (except West Memphis, Ark., points and places in Crittenden, St. Francis, and Lee Counties, Ark., south of U.S. Highway 70 and on and east of Arkansas Highway 1, and those in Phillips and Desha Counties, Ark., lying east of the White River and north of the Arkansas River). The purpose of this filing is to eliminate the gateways (a) on traffic from and to points in the state of North Carolina, South Carolina, and New Orleans, La.,

the gateway of Birmingham, Ala., and points within 65 miles and Montgomery, Ala., and (b) on traffic from or to points in Arkansas, the gateway of Memphis, Tenn. (3) *General commodities*, except those of unusual value, dangerous explosives, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, and livestock, *Between* Memphis, Tenn., on the one hand, and, on the other, Birmingham, Ala., and points in Alabama within 65 miles thereof, and Montgomery, Ala. The purpose of this filing is to eliminate the gateway at any point in Mississippi north of U.S. Highway 82 and U.S. Highway 51.

(4) *Lumber, twine, machinery, plumbing supplies, building materials, bags, bagging, steel, seeds, soap, shortening compounds, cotton lint, and steel tanks*. Restriction: Restricted against the transportation of commodities in bulk and those requiring special equipment. From Delaware, Maryland, New Jersey, Pennsylvania, Virginia, District of Columbia, New York (on and south of a line beginning at Oswego and extending along U.S. Highway 104, to Mexico, thence along New York Highway 69 to Rome, thence along New York Highway 49 to Utica, thence along New York Highway 5 to Schenectady, thence along New York Highway 7 to Troy and thence along New York Highway 2 to the New York-Massachusetts State line), and Alabama (Florence and points in Alabama within 25 miles thereof, and Birmingham and points within 65 miles thereof and Montgomery), to points in Arkansas west of a line beginning at the Arkansas-Louisiana State line and extending along U.S. Highway 65 to Little Rock and thence along U.S. Highway 67 to the Arkansas-Missouri State line. The purpose of this filing is to eliminate the gateways at points in Alabama within 65 miles of Birmingham, Ala., or Montgomery, Ala.; the gateway points in Mississippi on and north of U.S. Highway 82 and east of U.S. Highway 51; and the gateway of Memphis, Tenn.

(5) *Iron and steel articles* (except those requiring special equipment), From Alabama (only those points within 25 miles of Florence, Ala.), Delaware, Maryland, New Jersey, Pennsylvania, Virginia, District of Columbia, New York (on and south of a line beginning at Oswego and extending along U.S. Highway 104 to Mexico, thence along New York Highway 69 to Rome, thence along New York Highway 49 to Utica, thence along New York Highway 5 to Schenectady, thence along New York Highway 7 to Troy, and thence along New York Highway 2 to the New York-Massachusetts State line), South Carolina, North Carolina, Tennessee (on, east, and south of a line beginning at the Georgia-Tennessee State line and extending along U.S. Highway 27 to the Tennessee-Virginia State line), and Georgia (points north of U.S. Highway 80), West Virginia, and Ohio, to points in the state of Louisiana

(except New Orleans, Gretna, and Desrehan). The purpose of this filing is to eliminate the gateway at Birmingham, Ala. (except when from West Virginia and Ohio), the gateways of North Carolina, thence the gateway of Birmingham, Ala.

(6) *Aluminum and aluminum products* (except those requiring special equipment), from Alabama, Mississippi, Tennessee, New Orleans, La., and points in Arkansas, on and east of a line beginning at the Arkansas-Louisiana State line, and extending along U.S. Highway 65 to Little Rock, Ark., and thence along U.S. Highway 67 to the Arkansas-Missouri State line (except West Memphis, Ark., points and places in Crittenden, St. Francis, and Lee Counties, Ark., south of U.S. Highway 70 and on and east of Arkansas Highway 1, and those in Phillips and Desha Counties, Ark., lying east of the White River and north of the Arkansas River), to points in Rhode Island, Massachusetts, Connecticut, and West Virginia. The purpose of this filing is to eliminate the gateways at (a) when from Alabama, Mississippi, and Tennessee, the gateway of Sheffield, Ala., (b) when New Orleans, La., the gateway of Birmingham, Ala., and points within 65 miles thereof, and Sheffield, Ala., and (c) on traffic originating in Arkansas, the gateways of Memphis, Tenn., and Sheffield, Ala.

No. MC 107515 (Sub-No. 908G), filed June 4, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., 3901 Jonesboro Road, Forest Park, Ga. 30050. Applicant's representative: Alan E. Serby, 3379 Peachtree Rd. NE, Atlanta, Ga. 30326. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat by-products*, as described in Sections A and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, M.C.C. 209 and 766, from Dakota City, Nebr., to points in Florida, New York, Virginia, Pennsylvania, Connecticut, Massachusetts, and New Jersey. The purpose of this filing is to eliminate the gateways at Carrollton, Ga., Atlanta, Ga., Doraville, Ga., Tifton, Ga., Ayden, N.C., Charlotte, N.C., Rocky Mount, N.C., Booneville, Miss., and Gatesville, N.C.

No. MC 115257 (Sub-No. 47G), filed June 4, 1974. Applicant: SHAMROCK VAN LINES, INC., 39 N.E. 29th Street, Oklahoma City, Okla. 73105. Applicant's representative: Herbert Burstein, 1 World Trade Center, New York, N.Y. 10048. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Household goods*, as defined by the Commission, between points in California, on the one hand, and, on the other, points in Utah, Arizona, Colorado, and points in Wyoming south of U.S. 26. The purpose of this filing is to eliminate the gateways at points in Montana. (2) *Household goods*, as defined by the Commission, between points in Oregon, on the one hand, and, on the other, points in Arizona,

Utah, points in Wyoming, on and west of U.S. Highway 287 and points in Moffat, Routt, Jackson, Grand, Summit, Eagle, Garfield, Rio Blanco, Mesa, Pitkin, Lake, Park, Chaffee, Gunnison, Delta, Montrose, Saguache, Hinsdale, Ouray, San Miguel, Dolores, San Juan, Mineral, Rio Grande, Alamosa, Montezuma, La Plata, Archuleta, Conejos, Costilla, and Denver Counties, Colo. The purpose of this filing is to eliminate the gateways at points in Montana.

(3) *Household goods*, as defined by the Commission, between points in Asotin, Benton, Clark, Columbia, Cowlitz, Franklin, Garfield, Grays Harbor, Island, Kitsap, Klickitat, Lewis, Pacific, San Juan, Skamania, Wahkiakum, Walla Walla, and Whitman Counties, Wash., on the one hand, and, on the other, points in Utah. The purpose of this filing is to eliminate the gateways at points in Montana. (4) *Household goods*, as defined by the Commission, between points south of Interstate Highway 80 in Nevada, on the one hand, and, on the other, points south of U.S. Highway 26 in Wyoming. The purpose of this filing is to eliminate the gateways at points in Montana. (5) *Household goods*, as defined by the Commission, between points in Nevada, on the one hand, and, on the other, points in Colorado, Utah, and Arizona. The purpose of this filing is to eliminate the gateways at points in Montana. (6) *Household goods*, as defined by the Commission, between points in Idaho, on the one hand, and, on the other, points in Arizona and Utah. The purpose of this filing is to eliminate the gateways at points in Montana. (7) *Household goods*, as defined by the Commission, between points in Idaho east of U.S. Highway 83, on the one hand, and, on the other, points in Wyoming south of U.S. Highway 26. The purpose of this filing is to eliminate the gateways at points in Montana. (8) *Household goods*, as defined by the Commission, between points in Idaho, on the one hand, and, on the other, points in Colorado on and west of Interstate Highway 25. The purpose of this filing is to eliminate the gateways at points in Montana.

(9) *Household goods*, as defined by the Commission, between points in Colorado, on the one hand, and, on the other, those points in Texas west of a line beginning at the International Boundary line between the United States and the Republic of Mexico near Comstock, Tex., and extending along Texas Highway 163 to Colorado City, Tex., thence along Interstate Highway 20 to Abilene, Tex., thence along U.S. Highway 83 to its intersection with the Red River, and thence along the Red River to its intersection with the Texas-Oklahoma State Boundary line, and those points in Oklahoma north of a line beginning at the Oklahoma-Texas State Boundary line and extending along Interstate Highway 40 to Oklahoma City, Okla., and thence along Interstate Highway 44 to the Texas-Missouri State Boundary line. The purpose of this filing is to eliminate the gateways at points in Archer, Clay, Montague, Wichita, Wilbarger, and Young Counties, Tex.

(10) *Household goods*, as defined by the Commission, between points in New Mexico, on the one hand, and, on the other, those points in Texas west of a line beginning at the International Boundary line between the United States and the Republic of Mexico at Laredo, Tex., and extending along U.S. Highway 83 to its intersection with the Red River, and thence along the Red River to its intersection with the Texas-Oklahoma State Boundary line. The purpose of this filing is to eliminate the gateways at points in Archer, Clay, Montague, Wichita, Wilbarger, and Young Counties, Tex.

(11) *Household goods*, as defined by the Commission, between points in New Mexico north of Interstate Highway 40, on the one hand, and, on the other, those points in Oklahoma west of a line beginning at the Oklahoma-Texas State Boundary Line and extending along U.S. Highway 183 to its intersection with U.S. Highway 281, and thence along U.S. Highway 281 to the Oklahoma-Kansas State Boundary line. The purpose of this filing is to eliminate the gateways at points in Archer, Clay, Montague, Wichita, Wilbarger, and Young Counties, Tex.

(12) *Household goods*, as defined by the Commission, between those points in New Mexico east of U.S. Highway 285, on the one hand, and, on the other, points in Missouri. The purpose of this filing is to eliminate the gateways at points in Archer, Clay, Montague, Wichita, Wilbarger, and Young Counties, Tex.

(13) *Household goods*, as defined by the Commission, between points in Kansas, on the one hand, and, on the other, those points in Texas north of a line beginning at the Texas-Oklahoma State Boundary line and extending along the Red River to its intersection with Texas Highway 86, and thence along Texas Highway 86 to the Texas-New Mexico State Boundary line. The purpose of this filing is to eliminate the gateways at points in Archer, Clay, Montague, Wichita, Wilbarger, and Young Counties, Tex.

(14) *Household goods*, as defined by the Commission, between those points in Kansas east and/or south of Interstate Highway 35, on the one hand, and, on the other, points in Louisiana. The purpose of this filing is to eliminate the gateways at points in Archer, Clay, Montague, Wichita, Wilbarger, and Young Counties, Tex.

(15) *Household goods*, as defined by the Commission, between those points in Texas north of a line beginning at the Texas-New Mexico State Boundary line and extending along Texas Highway 86 to its intersection with the Red River, and thence along the Red River to its intersection with the Texas-Oklahoma State Boundary line, and also those points in Texas east of a line beginning at the Texas-Oklahoma State Boundary line and extending along Interstate Highway 35 to its intersection with Interstate Highway 35E, thence along Interstate Highway 35E to Dallas, Tex., thence

along Interstate Highway 45 to Galveston, Tex., on the one hand, and, on the other, points in Missouri. The purpose of this filing is to eliminate the gateways at points in Archer, Clay, Montague, Wichita, Wilbarger, and Young Counties, Tex.

(16) *Household goods*, as defined by the Commission, between those points in Kansas on and east of Interstate 35, on the one hand, and, on the other, those points in Mississippi north of U.S. Highway 82, those points in Alabama north of a line beginning at the Alabama-Mississippi State Boundary line and extending along U.S. Highway 82 to Tuscaloosa, Ala., thence along Interstate Highway 59 to Birmingham, Ala., and thence along U.S. Highway 78 to the Alabama-Georgia State Boundary line, those points in Georgia north of a line beginning at the Georgia-Alabama State Boundary line and extending along U.S. Highway 78 to Atlanta, Ga., thence along Interstate Highway 75 to its intersection with Interstate Highway 16, and thence along Interstate Highway 16 to Savannah, Ga. The purpose of this filing is to eliminate the gateways at points in Arkansas, and points in Archer, Clay, Montague, Wichita, Wilbarger, and Young Counties, Tex.

(17) *Household goods*, as defined by the Commission, between points in Kansas, on the one hand, and, on the other, points in South Carolina, North Carolina, Tennessee, Kentucky, Ohio, Michigan, Indiana, Illinois, Missouri, and Nebraska. The purpose of this filing is to eliminate the gateways at points in Arkansas, and points in Archer, Clay, Montague, Wichita, Wilbarger, and Young Counties, Tex.

(18) *Household goods*, as defined by the Commission, between points in Colorado, on the one hand, and, on the other, points in Mississippi, Alabama, Georgia, South Carolina, North Carolina, Tennessee, Kentucky, Ohio, Indiana, Michigan, Illinois, Missouri, Kansas, and Nebraska. The purpose of this filing is to eliminate the gateways at points in Arkansas, and points in Archer, Clay, Montague, Wichita, Wilbarger, and Young Counties, Tex.

(19) *Household goods*, as defined by the Commission, between points in Texas, on the one hand, and, on the other, those points in Mississippi south of Interstate Highway 20, and those points in Alabama south of U.S. Highway 80. The purpose of this filing is to eliminate the gateways at points in Arkansas.

(20) *Household goods*, as defined by the Commission, between points in Oklahoma, on the one hand, and, on the other, points in Kansas, and Nebraska. The purpose of this filing is to eliminate the gateways at points in Arkansas.

(21) *Household goods*, as defined by the Commission, between points in Louisiana, on the one hand, and, on the other, those points in Mississippi south of Interstate Highway 20, those points in Alabama south of U.S. Highway 80, and points in Georgia, South Carolina, and North Carolina. The purpose of this filing is to eliminate the gateways at points in Arkansas.

(22) *Household goods*, as defined by the Commission, and *emigrant movables*, between points in Nebraska, on the one hand, and, on the other, those points in Texas west of a line beginning at the Texas-Oklahoma State Boundary line and extending along Interstate Highway 35 to its intersection with Interstate Highway 35E, thence along Interstate Highway 35E to Dallas, Tex., and thence along Interstate Highway 45 to Galveston, Tex. The purpose of this filing is to eliminate the gateways at points in Saline County, Ark.

(23) *Household goods*, as defined by the Commission, between points in Missouri, on the one hand, and, on the other, those points in Ohio west and south of a line beginning at the Ohio-Michigan State Boundary line and extending along Interstate Highway 75 to Findlay, Ohio, thence along U.S. Highway 23 to Columbus, Ohio, and thence along Interstate Highway 70 to the Ohio-West Virginia State Boundary line. The purpose of this filing is to eliminate the gateways at points in Arkansas, and points in Cuyahoga County, Ohio.

(24) *Household goods*, as defined by the Commission, between points in Arkansas, on the one hand, and, on the other, points in Wisconsin, Michigan, West Virginia, and Virginia. The purpose of this filing is to eliminate the gateways at points in Cuyahoga County, Ohio.

(25) *Household goods*, as defined by the Commission, between points in Tennessee, on the one hand, and, on the other, those points in Pennsylvania south of a line beginning at the Pennsylvania-West Virginia State Boundary line and extending along Interstate Highway 70 to its intersection with Interstate Highway 79, thence along Interstate Highway 79 to Pittsburgh, Pa., thence along U.S. Highways 22 and 119 to its intersection with U.S. Highways 15 and 11, thence along U.S. Highways 15 and 11 to its intersection with Interstate Highway 80, and thence along Interstate Highway 80 to the Pennsylvania-New Jersey State Boundary line, and points in Adams, Allen, Ashland, Athens, Auglaize, Belmont, Brown, Butler, Carroll, Champaign, Clark, Clermont, Clinton, Coshocton, Crawford, Darke, Defiance, Erie, Fairfield, Fayette, Franklin, Fulton, Gallia, Grier, Guernsey, Hamilton, Hancock, Hardin, Henry, Highland, Hocking, Holmes, Huron, Jackson, Knox, Lawrence, Licking, Logan, Luca, Madison, Marion, Meigs, Mercer, Miami, Monroe, Montgomery, Morgan, Morrow, Muskingum, Noble, Ottawa, Paulding, Perry, Pickaway, Pike, Preble, Putnam, Richland, Ross, Sandusky, Scioto, Seneca, Shelby, Union, Van Wert, Vinton, Warren, Washington, Wayne, Williams, Woods, and Wyandot Counties, Ohio. The purpose of this filing is to eliminate the gateways at points in Cuyahoga County, Ohio.

(26) *Household goods*, as defined by the Commission, between points in Kentucky, on the one hand, and, on the other, those points in Pennsylvania south of a line beginning at the Pennsylvania-

West Virginia State Boundary line and extending along Interstate Highway 70 to its intersection with the Pennsylvania Turnpike, and thence along the Pennsylvania Turnpike to the Pennsylvania-New Jersey State Boundary line, and points in Ohio (except those points in Ashtabula, Trumbull, Mahoning, Columbiana, Jefferson, Harrison, Tuscarawas, Stark, Portage, Summit, Geauga, Lake, Medina, and Lorain Counties). The purpose of this filing is to eliminate the gateways at points in Cuyahoga County, Ohio.

(27) *Household goods*, as defined by the Commission, between points in Indiana, on the one hand, and, on the other, points in Ohio (except those points in Summit, Lorain, Stark, Carroll, Columbiana, Mahoning, Portage, Geauga, Lake, Ashtabula, and Trumbull Counties). The purpose of this filing is to eliminate the gateways at points in Cuyahoga County, Ohio.

(28) *Household goods*, as defined by the Commission, between points in Wisconsin, on the one hand, and, on the other, points in Ohio (except those points in Lorain, Ashland, Huron, Richland, Coshocton, Holmes, Wayne, Medina, Summit, Stark, Tuscarawas, Harrison, Jefferson, Carroll, Columbiana, Mahoning, Portage, Trumbull, Geauga, Lake, and Ashtabula Counties). The purpose of this filing is to eliminate the gateways at points in Cuyahoga County, Ohio.

(29) *Household goods*, as defined by the Commission, between points in Ohio (except those points in Lucas, Wood, Ottawa, Sandusky, Seneca, Erie, Huron, Lorain, Medina, Stark, Portage, Summit, Mahoning, Trumbull, Ashtabula, Lake, and Geauga Counties), on the one hand, and, on the other, points in Kentucky and West Virginia. The purpose of this filing is to eliminate the gateways at points in Cuyahoga County, Ohio.

(30) *Household goods*, as defined by the Commission, between points in Illinois, on the one hand, and, on the other, points in Ohio (except those points in Ashtabula, Trumbull, Mahoning, Columbiana, Jefferson, Harrison, Tuscarawas, Stark, Portage, Summit, Geauga, Lake, Medina, and Lorain Counties), points in Tennessee, and those points in Mississippi north of a line beginning at the Mississippi-Alabama State Boundary line and extending along Interstate Highway 20 to Jackson, Miss., thence along U.S. Highway 49 to Hattiesburg, Miss., and thence along U.S. Highway 98 to the Mississippi-Louisiana State Boundary line. The purpose of this filing is to eliminate the gateways at points in Cuyahoga County, Ohio, and Saline County, Ark.

(31) *Household goods*, as defined by the Commission, between points in Michigan, on the one hand, and, on the other, points in Ohio (except those points in Summit, Lorain, Stark, Carroll, Columbiana, Mahoning, Portage, Geauga, Lake, and Medina Counties), points in Tennessee, and those points in Mississippi north of a line beginning at the Mississippi-Arkansas State Boundary line and extending along U.S.

Highway 82 to Winona, Miss., thence along U.S. Highway 51 to Jackson, Miss., thence along U.S. Highway 49 to Hattiesburg, Miss., and thence along U.S. Highway 98 to the Mississippi-Louisiana State Boundary line. The purpose of this filing is to eliminate the gateways at points in Cuyahoga County, Ohio and Saline County, Ark.

(32) *Household goods*, as defined by the Commission, between points in California, Nevada, Oregon, Washington, and Idaho, on the one hand, and, on the other, points in New Mexico, Texas, Oklahoma, Louisiana, and Arkansas. The purpose of this filing is to eliminate the gateways at points in Montana, Colorado, and Archer, Clay, Montague, Wichita, Wilbarger, and Young Counties, Tex.

(33) *Household goods*, as defined by the Commission, between points in California, Nevada, Oregon, Washington, and Idaho, on the one hand, and, on the other, points in Nebraska, Kansas, Missouri, Mississippi, Alabama, Georgia, South Carolina, North Carolina, Tennessee, Kentucky, Ohio, Indiana, Michigan, and Illinois. The purpose of this filing is to eliminate the gateways at points in Montana, Colorado, Arkansas, and Archer, Clay, Montague, Wichita, Wilbarger, and Young Counties, Tex.

(34) *Household goods*, as defined by the Commission, between points in California, Nevada, Idaho, Oregon, and Washington, on the one hand, and, on the other, points in Wisconsin, Pennsylvania, New York, Connecticut, Delaware, Maine, Maryland, Massachusetts, New Jersey, Rhode Island, Virginia, West Virginia, and the District of Columbia. The purpose of this filing is to eliminate the gateways at points in Montana, Colorado, Arkansas, and Cuyahoga County, Ohio and Archer, Clay, Montague, Wichita, Wilbarger, and Young Counties, Tex.

No. MC-115311 (Sub No. 369-G), filed June 4, 1974. Applicant: TRUCK TRANSPORT, INCORPORATED, 29 Clayton Hills Lane, St. Louis, Mo. 63131. Applicant's Representative: J. R. Ferris, 230 St. Clair Avenue, East St. Louis, Ill. 62201. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Liquid chemicals* (except liquid fertilizers, liquid oxygen, liquid hydrogen, and liquid nitrogen), in bulk, in tank vehicles: (a) from Selma, Mo., and points within 5 miles thereof, to points in Michigan. The purpose of this filing is to eliminate the gateway of the plantsite of Foster Grant Co., Inc. at Peru, Ill., (b) from the plantsite of Foster Grant Company, Inc., at Peru, Ill., to points in Missouri and Nebraska. The purpose of this filing is to eliminate the gateway of the facilities of the Hawkeye Chemical Company at or near Clinton, Iowa.

(2) *Liquid chemicals*, in bulk, in tank vehicles: (a) from Selma, Mo. and points within 5 miles thereof, to points in Minnesota and Texas (except points in Chambers, Montgomery, Harris, Ft.

Bend, Galveston, Liberty, and Brazaria Counties, Tex.) and Louisiana. The purpose of this filing is to eliminate the gateways of the facilities of Hawkeye Chemical Company at or near Clinton, Iowa, and Malvern, Ark. (b) from the plantsites of Olin-Mathieson Chemical Corporation at or near Ordill, Ill., to points in Michigan, Minnesota, Texas (except points in Chambers, Montgomery, Harris, Fort Bend, Galveston, Liberty, and Brazaria Counties, Tex.). The purpose of this filing is to eliminate the gateways of the facilities of Hawkeye Chemical Company at or near Clinton, Iowa and Walvern, Ark. (c) from the plantsite of Hawkeye Chemical Company at or near Clinton, Iowa, to points in Arkansas, Louisiana, Oklahoma, and Tennessee. The purpose of this filing is to eliminate the gateways of Selma, Mo., and Malvern, Ark.

(3) *Chemicals*, in bulk, from the Port Neal Industrial Complex and Big Soo Terminal and the plantsites of and warehouse and storage facilities utilized by Terre International, Inc., Monsanto Company and American Cyanamid Company located in Woodbury County, Iowa, and Dakota County, Nebr., to points in Louisiana and Mississippi, restricted against the transportation of spent catalyst to points in Louisiana and Texas, and further restricted against the transportation of fertilizer and fertilizer ingredients to points in Louisiana. The purpose of this filing is to eliminate the gateway of Malvern, Ark.

(4) *non-alcoholic beverages*, carbonated or phosphated, in containers, from Warrenton, Mo., to points in Alabama, Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Nebraska, Mississippi, Louisiana, Ohio, Oklahoma, Pennsylvania, Tennessee, Texas (except Amarillo, El Paso and Lubbock) and points in Missouri located west of U.S. Highway 67 and on and south of U.S. Highway 40 (except Boonville, Columbia, Jefferson City, Kansas City, Sedalia and Springfield). The purpose of this filing is to eliminate the gateway of East St. Louis, Ill.

(5) *acids and chemicals*, dry, in bulk, from St. Louis, Mo., to points in Louisiana, Texas (except points in Chambers, Montgomery, Harris, Fort Bend, Galveston, Liberty and Brazaria Counties, Tex.), Minnesota, Mississippi and Wisconsin, restricted against the transportation of spent catalyst to points in Louisiana and Texas, and further restricted against the transportation of fertilizer and fertilizer ingredients to points in Louisiana and Mississippi. The purpose of this filing is to eliminate the gateways of El Paso, Ill. and Malvern, Ark.

(6) *acids and chemicals*, in bulk, in tank vehicles, from the plantsites of Olin-Mathieson Chemical Corporation at or near Ordill, Ill., to points in Louisiana, Mississippi and Texas (except points in Chambers, Montgomery, Harris, Fort Bend, Galveston, Liberty and Brazaria Counties, Tex.), restricted against the transportation of spent

catalyst to points in Louisiana and Texas, and further restricted against the transportation of fertilizer and fertilizer ingredients to points in Louisiana and Mississippi. The purpose of this filing is to eliminate the gateway of Malvern, Ark.

(7) *acids and chemicals*, dry, in bulk, in tank vehicles, from the plantsites of Olin-Mathieson Chemical Corporation at or near Ordill, Ill., to points in Minnesota and Wisconsin. The purpose of this filing is to eliminate the gateways of St. Louis, Mo. and El Paso, Ill.

(8) *chemicals*, dry, in bulk, from El Paso, Ill. and points within 5 miles thereof, to points in Arkansas, Kansas, Oklahoma, Tennessee, Missouri, Louisiana, Mississippi and Texas (except points in Chambers, Montgomery, Harris, Fort Bend, Galveston, Liberty and Brazaria Counties, Tex.), restricted against the transportation of spent catalyst to points in Louisiana and Texas, and further restricted against the transportation of fertilizer and fertilizer ingredients to points in Louisiana and Mississippi. The purpose of this filing is to eliminate the gateways of National City, Ill. and Malvern, Ark.

(9) *chemicals*, dry, in bulk, from the facilities of Olin Corporation at Joliet, Ill., to points in Arkansas, Kansas, Oklahoma, Tennessee, Mississippi, Nebraska, North Dakota, South Dakota, Wyoming, Louisiana, and Texas (except points in Chambers, Montgomery, Harris, Fort Bend, Galveston, Liberty, and Brazaria Counties, Tex.), restricted against the transportation of spent catalyst to points in Louisiana and Texas, and further restricted against the transportation of fertilizer and fertilizer ingredients to points in Louisiana, Mississippi and Tennessee. The purpose of this filing is to eliminate the gateways of St. Louis, Mo.; Malvern, Ark.; and Woodbury County, Iowa.

(10) *chemicals*, in bulk, from the Port Neal Industrial Complex, and Big Soo Terminal, and the plantsites, warehouses and storage facilities utilized by Terre International, Inc., American Cyanamid Company, and Monsanto Company located in Woodbury County, Iowa and Dakota County, Nebr., to points in Oklahoma, Louisiana, Mississippi, Tennessee, points in Missouri (except St. Louis, Mo. and its commercial zone) and points in Texas (except points in Chambers, Montgomery, Harris, Fort Bend, Galveston, Liberty and Brazaria Counties, Tex.), restricted against the transportation of spent catalyst to points in Louisiana and Texas, and further restricted against the transportation of fertilizer and fertilizer ingredients to points in Louisiana, Mississippi and Tennessee. The purpose of this filing is to eliminate the gateway of Malvern, Ark.

(11) *chemicals and acids*, dry, in bulk, from points in that part of Illinois on and south of U.S. Highway 36, to points in Iowa, Kansas, Missouri, Arkansas, Oklahoma, Ohio, Louisiana, Texas (except

points in Chambers, Montgomery, Harris, Fort Bend, Galveston, Liberty and Brazoria Counties, Tex.; Minnesota, Wisconsin, Mississippi and Tennessee, restricted against the transportation of: (a) spent catalyst to points in Louisiana and Texas; (b) fertilizer and fertilizer ingredients to points in Louisiana, Mississippi and Tennessee; (c) commodities in dump vehicles, from points in Madison and St. Clair Counties, Ill., to St. Charles County, Mo.; (d) manufactured dry fertilizer, from Cairo, Mounds, Marion and Ordill, Ill.; (e) commodities (except petroleum products), between points in the St. Louis, Mo.-East St. Louis, Ill. Commercial Zone; and (f) dry chemicals and acids, including starch, from points in Illinois in the St. Louis, Mo.-East St. Louis, Ill. Commercial Zone (except to sites of glass manufacturing plants in that part of Missouri within 10 miles of the Missouri-Illinois State Boundary line). The purpose of this filing is to eliminate the gateways of St. Louis, Mo.; Malvern, Ark.; and El Paso, Ill.

(12) *lime*, in bulk (except that used for agricultural purposes), from Mosher and Ste. Genevieve, Mo., to points in Oklahoma, Mississippi, Arizona, New Mexico, Louisiana, Alabama and Texas (except Houston and points in Texas within 50 miles thereof). The purpose of this filing is to eliminate the gateway of Limestone, Ark.

(13) *lime and lime products*, in bulk, from Mosher and Ste. Genevieve, Mo., to points in Michigan and Wisconsin (except points in Iowa, Lafayette, Green, Dane, Jefferson, Rock, Walworth, Waukesha, Milwaukee, Racine and Kenosha Counties, Wis.). The purpose of the filing is to eliminate the gateway of East Chicago, Ind.

(14) *lime and lime products*, in bulk, from Davenport, Iowa, to points in Arkansas and Tennessee. The purpose of this filing is to eliminate the gateway of Ste. Genevieve, Mo.

(15) *lime and limestone products*, in bulk, from Davenport, Iowa, to points in Alabama. The purpose of this filing is to eliminate the gateway of St. Francois County, Mo.

(16) *lime and limestone*, in bulk from Davenport, Iowa, to points in Florida, Georgia, North Carolina and South Carolina. The purpose of this filing is to eliminate the gateways of St. Francois County, Mo. and the facilities of Allied Products Co. at Roberta, Ala.

(17) *crushed or ground limestone*, in bulk, from Davenport, Iowa, to points in Mississippi. The purpose of this filing is to eliminate the gateway of Valmeyer, Ill.

(18) *lime, and limestone products* defined as chemicals, in bulk, from Davenport, Iowa, to points in Kentucky. The purpose of this filing is to eliminate the gateway of Adams County, Ill.

(19) *lime and limestone products*, in bulk, from Davenport, Iowa, to points in Texas, Colorado, Oklahoma and Louisiana. The purpose of this filing is to eliminate the gateways of Hannibal, Mo. and Quincy, Ill.

(20) *lime and limestone products*, in bulk, from Davenport, Iowa, to points in Kansas, Kentucky and Ohio. The purpose of this filing is to eliminate the gateways of Kansas City, Mo. and Adams County, Ill.

(21) *lime, and limestone products* defined as chemicals in bulk, in dump vehicles, from points in Ste. Genevieve and St. Francois Counties, Mo., to points in Iowa, Illinois, Kansas, Ohio, Oklahoma, Minnesota, Wisconsin, South Dakota, Michigan and Nebraska (except to sites of glass manufacturing plants in Illinois, Ohio and that part of Iowa within 10 miles of the Iowa-Illinois State Boundary line). The purpose of this filing is to eliminate the gateways of East St. Louis, Ill. and Davenport, Iowa.

(22) *lime, and limestone products* defined as chemicals, in bulk, in dump vehicles, from points in Ste. Genevieve and St. Francois Counties, Mo., to points in Colorado, Montana, North Dakota and Wyoming. The purpose of this filing is to eliminate the gateways of East St. Louis, Ill. and Hannibal, Mo.

(23) *lime, and limestone products* defined as chemicals, in bulk, from Kansas City, Mo., to points in Kentucky, Indiana, Ohio, Illinois and Tennessee (except shipments to glass manufacturing plants in Indiana (except those at Gas City, Ind.), and except to the sites of glass manufacturing plants in Illinois, Ohio and that part of Iowa within 10 miles of the Iowa-Illinois State Boundary line, and that part of Kentucky within 10 miles of the Kentucky-Illinois State Boundary line, the Kentucky-Indiana State Boundary line, and the Kentucky-Ohio State Boundary line). The purpose of this filing is to eliminate the gateway of St. Louis, Mo.

(24) *limestone and limestone products*, in bulk, from Kansas City, Mo., to points in Alabama, Michigan, Minnesota, Ohio and Wisconsin. The purpose of this filing is to eliminate the gateway of St. Francois County, Mo.

(25) *limestone*, in bulk, from Kansas City, Mo., to points in Florida, Georgia, North Carolina and South Carolina. The purpose of this filing is to eliminate the gateways of St. Francois County, Mo. and the facilities of Allied Products Company at Roberta, Ala.

(26) *lime and limestone*, in bulk, from points in St. Francois County, Mo., to points in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina and South Carolina. The purpose of this filing is to eliminate the gateway of the facilities of Allied Products Co. at Roberta, Ala.

(27) *lime and limestone*, in bulk, from points in Adams County, Ill., to points in South Dakota, Alabama, Florida, Georgia, North Carolina and South Carolina. The purpose of this filing is to eliminate the gateways of Davenport, Iowa; St. Francois County, Mo.; and the facilities of Allied Products Co. at Roberta, Ala.

(28) *lime* (except lime used for agricultural purposes), in bulk, from points in Adams County, Ill., to points in Ari-

zona, Arkansas, Mississippi, New Mexico, Louisiana and Texas (except Houston and points in Texas within 50 miles thereof). The purpose of this filing is to eliminate the gateways of Ste. Genevieve, Mo. and Limestone, Ark.

(29) *limestone*, in bulk, from points in Adams County, Ill., to points in New Jersey and Pennsylvania. The purpose of this filing is to eliminate the gateway of Washington County, Mo.

(30) *lime, limestone and limestone products*, in bulk, from points in Adams County, Ill., to points in Texas, Colorado, Montana, North Dakota, Wyoming, Oklahoma and Louisiana. The purpose of this filing is to eliminate the gateway of Hannibal, Mo.

(31) *lime and limestone products* (except dolomite), in bulk, from Chicago, Ill., to points in Illinois, South Dakota, Nebraska, Kansas, Louisiana, Oklahoma, Colorado, Texas, Wyoming, Montana and Arkansas. The purpose of this filing is to eliminate the gateways of Davenport, Iowa; Kansas City, Mo.; and Hannibal, Mo.

(32) *limestone*, in bulk, from points in Washington County, Mo., to points in Nebraska, Colorado, Montana, Wyoming, North Dakota, South Dakota and Texas. The purpose of this filing is to eliminate the gateways of Adams County, Ill. and Hannibal, Mo.

(33) *lime and lime products*, in bulk, from points in Dodge and Fond du Lac Counties, Wis., to points in Arkansas and Tennessee. The purpose of this filing is to eliminate the gateway of Ste. Genevieve, Mo.

(34) *lime and limestone products*, in bulk, from points in Dodge and Fond du Lac Counties, Wis., to points in Nebraska, Minnesota, South Dakota and Kansas. The purpose of this filing is to eliminate the gateways of Davenport, Iowa and Kansas City, Mo.

(35) *lime*, in bulk, from points in Dodge and Fond du Lac Counties, Wis., to points in Indiana and Michigan. The purpose of this filing is to eliminate the gateway of Chicago, Ill.

(36) *lime* (except lime used for agricultural purposes), in bulk, from points in Dodge and Fond du Lac Counties, Wis., to points in Mississippi, Arizona, New Mexico, Louisiana, Alabama and Texas (except Houston and points in Texas within 50 miles thereof). The purpose of this filing is to eliminate the gateways of Ste. Genevieve, Mo. and Limestone, Ark.

(37) *lime* (except lime used for agricultural purposes), in bulk, from Limestone, Ark., to points in Florida, Georgia, North Carolina, South Carolina, Indiana, Iowa, Michigan, Minnesota, Wisconsin, Kansas, Nebraska, Montana, North Dakota, Wyoming, Colorado and Ohio. The purpose of this filing is to eliminate the gateways of Ste. Genevieve, Mo.; Adams County, Ill.; Kansas City, Mo.; Hannibal, Mo.; and the facilities of the Allied Products Co. at Roberta, Ala.

(38) *lime and limestone products*, in bulk, from points in Manitowac County, Wis., to points in Arkansas, Tennessee,

Nebraska, South Dakota, North Dakota, Kansas, Texas, Colorado, Oklahoma, Louisiana, Indiana and Kentucky. The purpose of this filing is to eliminate the gateways of Ste. Genevieve, Mo.; Davenport, Iowa; Kansas City, Mo.; and Hannibal, Mo.

(39) *Crushed and ground limestone*, in bulk, from points in Manitowac County, Wis., to points in Mississippi. The purpose of this filing is to eliminate the gateway of Valmeyer, Ill.

(40) *Lime*, in bulk, from points in Manitowac County, Wis., to points in Michigan. The purpose of this filing is to eliminate the gateway of Chicago, Ill.

(41) *Lime and limestone products*, in bulk, from Gibsonburg, Ohio, to points in Minnesota, South Dakota and Nebraska. The purpose of this filing is to eliminate the gateway of Davenport, Iowa.

(42) *Lime, limestone and limestone products*, in bulk, from Gibsonburg, Ohio, to points in Kansas, Louisiana, Oklahoma, Colorado, Montana, South Dakota, North Dakota, Nebraska, Texas and Wyoming. The purpose of this filing is to eliminate the gateways of Kansas City, Mo. and Hannibal, Mo.

(43) *Lime* (except lime used for agricultural purposes), in bulk, from Gibsonburg, Ohio, to points in Oklahoma, Louisiana, Arizona, New Mexico and Mississippi. The purpose of this filing is to eliminate the gateway of Limestone, Ark.

(44) *Lime* (except lime used for agricultural purposes), in bulk, from Hannibal, Mo., and Marblehead and Quincy, Ill., to points in Alabama, Mississippi, Florida, Georgia, North Carolina and South Carolina. The purpose of this filing is to eliminate the gateway of Limestone, Ark.

(45) *Lime*, in bulk, from Hannibal, Mo., and Marblehead and Quincy, Ill., to points in Arizona and New Mexico. The purpose of this filing is to eliminate the gateways of Limestone, Ark., and the facilities of Allied Products Co. at Roberta, Ala.

(46) *Lime* (except lime used for agricultural purposes), in bulk, from the facilities of Longview Lime Company, Division of Woodward Company, at or near Longview, Ala., and the facilities of Southern Cement Company and Allied Products Company at or near Roberta, Ala., to points in Oklahoma, Missouri, Illinois, Kentucky, Texas, Kansas, Nebraska, Colorado, Iowa, Minnesota, Montana, North Dakota, South Dakota, Wisconsin and Wyoming. The purpose of this filing is to eliminate the gateways of Limestone, Ark.; Adams County, Ill.; and Hannibal, Mo.

(47) *Lime*, in bulk, from the facilities of Longview Lime Company, Division of Woodward Company at or near Longview, Ala., and the facilities of Southern Cement Company and Allied Products Company at or near Roberta, Ala., to points in Colorado, Kansas, Arizona, and New Mexico. The purpose of this filing is to eliminate the gateway of Limestone, Ark.

(48) *Lime, limestone, sand and gravel*, dry, in bulk, from points in that part of

Illinois on and south of U.S. Highway 36, to points in Illinois and Iowa. The purpose of this filing is to eliminate the gateway of Pike County, Mo.

(49) *Lime and limestone*, dry, in bulk, from points in that part of Illinois on and south of U.S. Highway 36, to points in Indiana, Kansas, Kentucky, Michigan, Minnesota, Missouri, (except in dump trucks from points in Madison and St. Clair Counties, Ill.), to points in St. Charles County, Mo.), Nebraska, Ohio and Wisconsin. The purpose of this filing is to eliminate the gateways of Pike County, Mo.; Davenport, Iowa; and Adams County, Ill.

(50) *Lime and lime products*, dry, in bulk, from points in that part of Illinois on and south of U.S. Highway 36, to points in Arkansas, Indiana and Tennessee. The purpose of this filing is to eliminate the gateway of Ste. Genevieve, Mo.

(51) *Lime* (except lime used for agricultural purposes), dry, in bulk, from points in that part of Illinois on and south of U.S. Highway 36, to points in Mississippi, Louisiana, Kentucky and Alabama. The purpose of this filing is to eliminate the gateways of Ste. Genevieve, Mo. and Limestone, Ark.

(52) *Lime*, in bulk, from points in that part of Illinois on and south of U.S. Highway 36, to points in Arizona and New Mexico. The purpose of this filing is to eliminate the gateways of Ste. Genevieve, Mo. and Limestone, Ark.

(53) *Lime, limestone and limestone products*, in bulk, from points in that part of Illinois on and south of U.S. Highway 36, to points in Indiana, Colorado, Montana, Wyoming, North Dakota, South Dakota, Kansas, Nebraska, Texas, Arkansas, Oklahoma and Louisiana. The purpose of this filing is to eliminate the gateways of Hannibal, Mo. and Kansas City, Mo.

(54) *Agricultural chemicals*, in containers, from Omaha, Nebr., to points in Illinois, Indiana, Michigan, Missouri, Wisconsin, Arkansas, Delaware, Florida, Georgia, Idaho, Kansas, Kentucky, Maine, Maryland, Colorado, New Jersey, New Mexico, New York, Ohio, Wyoming, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas (except Amarillo and Lubbock, Tex.), Virginia, Washington and West Virginia. The purpose of this filing is to eliminate the gateways of Muscatine, Iowa; East St. Louis, Ill.; Des Moines County, Iowa; Mendota, Ill.; and the facilities of Chemagro in Woodbury County, Iowa.

(55) *Fertilizer, insecticides and herbicides*, (except in bulk), from the plant-site of N.S. Koos and Son at Kenosha, Wis., to points in Illinois, Nebraska, Colorado, Arkansas, Delaware, Florida, Georgia, Idaho, Indiana, Kansas, Kentucky, Maine, Maryland, Michigan, Minnesota, New Jersey, New Mexico, New York, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Wyoming, Tennessee, Texas (except Amarillo and Lubbock, Tex.), Virginia, Washington, West Virginia and Wisconsin. The purpose of this filing is to

eliminate the gateways of Omaha, Nebr.; Mendota, Ill.; Muscatine, Iowa; and the facilities of Chemagro in Woodbury County, Iowa.

(56) *Insecticides, fertilizers, fungicides and herbicides*, in packages, from Council Bluffs, Iowa, to points in Illinois, Ohio, Colorado, Minnesota, Arkansas, Delaware, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Michigan, New Jersey, New Mexico, New York, North Dakota, Oklahoma, Oregon, Pennsylvania, South Dakota, Wyoming, Tennessee, Texas (except Lubbock and Amarillo, Tex.), Virginia, Washington and West Virginia. The purpose of this filing is to eliminate the gateways of Mendota, Ill.; East St. Louis, Ill.; and Muscatine, Iowa.

(57) *Dry fertilizer, dry fertilizer materials, dry fertilizer compounds and pesticides* (except in bulk), from the plant-site and storage facilities of Monsanto Company near Muscatine, Iowa, to points in Oklahoma and Texas. The purpose of this filing is to eliminate the gateway of the facilities of W. R. Grace & Company at Atlas, Mo.

(58) *Agricultural chemicals*, in containers, from the plant-site and storage facilities of Monsanto Company near Muscatine, Iowa, to points in Florida, Georgia, Idaho, Wyoming, Maine, New Mexico, Oklahoma, Oregon, Texas (except Amarillo and Lubbock, Tex.), Washington, and West Virginia. The purpose of this filing is to eliminate the gateways of Mendota, Ill.; Muscatine, Iowa; and the facilities of Chemagro in Woodbury County, Iowa.

(59) *Dry fertilizer, dry fertilizer materials, dry fertilizer compounds and pesticides*, in containers, from the plant site and warehouse facilities of W. R. Grace & Company at or near Atlas, Mo., to points in Illinois, Colorado, North Dakota, South Dakota, Wyoming, Delaware, Florida, Georgia, Idaho, Maine, Maryland, Michigan, Minnesota, New Jersey, New Mexico, New York, Ohio, Oregon, Pennsylvania, Virginia, Washington, West Virginia and Wisconsin. The purpose of this filing is to eliminate the gateways of Omaha, Nebr.; Mendota, Ill.; Muscatine, Iowa; Des Moines County, Iowa; and the facilities of Monsanto at Muscatine, Iowa.

(60) *Agricultural chemicals*, in containers, from Mendota and Wyoming, Ill., to points in Colorado and Wyoming. The purpose of this filing is to eliminate the gateway of the facilities of Chemagro in Woodbury County, Iowa.

(61) *Agricultural chemicals*, in containers, from East St. Louis, Ill., to points in Delaware, Florida, Georgia, Idaho, Maine, Maryland, New Jersey, New Mexico, New York, Oregon, Texas (except Amarillo and Lubbock, Tex.), Virginia, Washington, Colorado and Wyoming. The purpose of the filing is to eliminate the gateways of Mendota, Ill.; Muscatine, Iowa; and the facilities of Chemagro in Woodbury County, Iowa.

(62) *Dry fertilizer, dry fertilizer materials, dry fertilizer compounds and pesticides*, in containers, from East St. Louis,

Ill., to points in Texas. The purpose of this filing is to eliminate the gateway of the facilities of W. R. Grace & Company at Atlas, Mo.

(63) *fertilizer and fertilizer compounds, dry, insecticides and herbicides*, in containers, from points in Des Moines and Lee Counties, Iowa (except from Fort Madison and points within 5 miles of Fort Madison), to points in Arkansas, Delaware, Florida, Georgia, Idaho, Maine, Maryland, New Jersey, New Mexico, New York, Oklahoma, Oregon, Pennsylvania, Tennessee, Texas (except Amarillo and Lubbock, Tex.), Virginia, Washington, Colorado, Wyoming and West Virginia. The purpose of this filing is to eliminate the gateways of Mendota, Ill.; East St. Louis, Ill.; Muscatine, Iowa; and the facilities of Chemagro in Woodbury County, Iowa.

(64) *agricultural chemicals*, in containers, from the warehouse facilities utilized by Chemagro, a division of Baychem Corporation, located in Woodbury County, Iowa and Dakota County, Nebr., to points in Arkansas, Delaware, Florida, Georgia, Idaho, Indiana, Kentucky, Maine, Maryland, Michigan, New Jersey, New Mexico, New York, Ohio, Oregon, Pennsylvania, Tennessee, Washington, West Virginia and Texas (except Amarillo and Lubbock, Tex.). The purpose of this filing is to eliminate the gateways of Mendota, Ill.; Muscatine, Iowa; East St. Louis, Ill.; and the facilities of Monsanto Company at Muscatine, Iowa.

(65) *dry fertilizer, dry fertilizer materials, dry fertilizer compounds and pesticides*, in containers, from the warehouse facilities utilized by Chemagro, a division of Baychem Corporation, located in Woodbury County, Iowa and Dakota County, Nebr., to points in Texas and Arkansas. The purpose of this filing is to eliminate the gateway of the facilities of W. R. Grace & Company at Atlas, Mo.

(66) *dry fertilizer, dry fertilizer materials, dry fertilizer compounds and pesticides*, in containers, from the Port Neal Industrial Complex and Big Soo Terminal and the plantsite of and warehouse and storage facilities utilized by Terre International, Inc., American Cyanamid Company and Monsanto Company located in Woodbury County, Iowa and Dakota County, Nebr., to points in Texas and Arkansas. The purpose of this filing is to eliminate the gateways of the facilities of W. R. Grace & Company at Atlas, Mo.; and the facilities of Chemagro in Woodbury County, Iowa.

(67) *agricultural chemicals*, in containers, from the Port Neal Industrial Complex and Big Soo Terminal and the plantsite of and warehouse and storage facilities utilized by Terre International, Inc., American Cyanamid Company and Monsanto Company located in Woodbury County, Iowa and Dakota County, Nebr., to points in Arkansas, Delaware, Florida, Georgia, Idaho, Indiana, Kentucky, Maine, Maryland, Michigan, New Jersey, New Mexico, New York, Ohio, Oregon, Pennsylvania, Tennessee, Texas (except Amarillo and Lubbock, Tex.),

Virginia, Washington and West Virginia. The purpose of this filing is to eliminate the gateways of Mendota, Ill.; and the facilities of Chemagro in Woodbury County, Iowa.

(68) *lime and lime products*, in bags, from Mosher and Ste. Genevieve, Mo., to points in Minnesota, Wisconsin, South Dakota, Nebraska, Michigan, Illinois and Ohio. The purpose of this filing is to eliminate the gateway of Davenport, Iowa.

(69) *lime and lime products*, in bags, from Davenport, Iowa, to points in Arkansas, Kentucky and Tennessee (except Memphis, Tenn.). The purpose of this filing is to eliminate the gateway of Ste. Genevieve, Mo.

(70) *lime and limestone products*, from Davenport, Iowa, to points in Kentucky, Ohio, Kansas, Colorado, Texas, Arkansas, Oklahoma, Louisiana, Colorado, Montana and Wyoming. The purpose of this filing is to eliminate the gateways of Adams County, Ill. and Quincy, Ill.

(71) *crushed and ground limestone*, from Davenport, Iowa, to points in Tennessee and Mississippi. The purpose of this filing is to eliminate the gateway of Valmeyer, Ill.

(72) *limestone*, in containers, from Davenport, Iowa, to points in Alabama, Arkansas, Colorado, Mississippi and New Mexico. The purpose of this filing is to eliminate the gateways of St. Francois County, Mo.; and the facilities of Dresser, Inc., in Washington County, Mo.

(73) *lime*, in containers, from Davenport, Iowa, to points in Florida, Georgia, North Carolina and South Carolina. The purpose of this filing is to eliminate the gateways of St. Francois County, Mo.; and the facilities of Allied Products, Inc. at Roberta, Ala.

(74) *limestone products*, in bags, from points in St. Francois County, Mo., to points in Minnesota, Wisconsin, South Dakota and Nebraska. The purpose of this filing is to eliminate the gateway of Davenport, Iowa.

(75) *limestone and limestone products*, in bags, from points in St. Francois County, Mo., to points in Colorado, Montana, North Dakota and Wyoming. The purpose of this filing is to eliminate the gateway of Quincy, Ill.

(76) *lime*, in bags, from points in St. Francois County, Mo., to points in Alabama, Florida, Georgia, Mississippi, North Carolina and South Carolina. The purpose of this filing is to eliminate the gateway of the facilities of Allied Products Co. at Roberta, Ala.

(77) *lime, and limestone products defined as chemicals*, in containers, from points in Adams County, Ill., to points in Pennsylvania and West Virginia. The purpose of this filing is to eliminate the gateway of El Paso, Ill.

(78) *limestone and limestone products*, in bags, from points in Adams County, Ill., to points in Alabama, Tennessee, Mississippi and Texas. The purpose of this filing is to eliminate the gateway of St. Francois County, Mo.

(79) *lime*, in bags, from points in Adams County, Ill., to points in Florida, Georgia, North Carolina and South Carolina. The purpose of this filing is to eliminate the gateways of St. Francois County, Mo.; and the facilities of Allied Products Co. at Roberta, Ala.

(80) *limestone*, in containers, from points in Adams County, Ill., to points in Pennsylvania, Oklahoma and New Jersey. The purpose of this filing is to eliminate the gateway of Washington County, Mo.

(81) *lime, limestone and limestone products*, in containers, from points in Adams County, Ill., to points in Colorado, Montana, North Dakota, Texas, Wyoming, Arkansas, Oklahoma and Louisiana. The purpose of this filing is to eliminate the gateway of Hannibal, Mo.

(82) *lime and limestone products*, in containers, from points in Adams County, Ill., to points in South Dakota. The purpose of this filing is to eliminate the gateway of Davenport, Iowa.

(83) *crushed and ground limestone*, in bags, from Valmeyer, Ill. and points within 10 miles thereof, to points in Arkansas, Iowa, South Dakota, Michigan, Oklahoma, Alabama, Florida, New Mexico, Colorado, Montana, Texas, North Dakota, Wyoming, Kansas and Wisconsin. The purpose of this filing is to eliminate the gateways of Ste. Genevieve, Mo.; Marion County, Mo.; Davenport, Iowa; Washington County, Mo. St. Francois County, Mo.; Hannibal, Mo.; the facilities of Allied Products Co. at Roberta, Ala.; and the facilities of Dresser, Inc. in Washington County, Mo.

(84) *lime and lime products* (except dolomite), in bags, from Chicago, Ill., to points in Arkansas, Kentucky and Tennessee (except Memphis, Tenn.). The purpose of this filing is to eliminate the gateway of Ste. Genevieve, Mo.

(85) *lime and limestone products*, in containers, from Chicago, Ill., to points in South Dakota, Nebraska, Colorado, Kansas, Montana, North Dakota, Texas, Wyoming, Arkansas, Oklahoma and Louisiana. The purpose of this filing is to eliminate the gateway of Hannibal, Mo.

(86) *limestone products* (except dolomite), from Chicago, Ill., to points in Alabama and Mississippi. The purpose of this filing is to eliminate the gateway of St. Francois County, Mo.

(87) *limestone* (except dolomite), in containers, from Chicago, Ill., to points in New Mexico and Mississippi. The purpose of this filing is to eliminate the gateway of the facilities of Dresser, Inc. in Washington County, Mo.

(88) *lime, limestone and limestone products*, in bags, from points in Marion County, Mo., to points in Kentucky, Michigan, Minnesota, Nebraska, Ohio, Wisconsin, Colorado, Montana, North Dakota, South Dakota, Texas, Wyoming, Arkansas, Oklahoma and Louisiana. The purpose of this filing is to eliminate the gateways of Adams County, Ill. and Quincy, Ill.

(89) *limestone and limestone products*, in bags, from points in Marion County, Mo., to points in Tennessee, Mis-

Mississippi and Alabama. The purpose of this filing is to eliminate the gateway of Ste. Genevieve, Mo.

(90) *lime and limestone*, in bags, from points in Marion County, Mo., to points in Florida, Georgia, North Carolina and South Carolina. The purpose of this filing is to eliminate the gateways of St. Francois County, Mo.; and the facilities of Allied Products, Inc. at Roberta, Ala.

(91) *lime, and limestone products defined as chemicals*, in containers, from points in Marion County, Mo., to points in Pennsylvania and West Virginia. The purpose of this filing is to eliminate the gateway of El Paso, Ill.

(92) *limestone*, in bags, from points in Marion County, Mo., to points in New Mexico. The purpose of this filing is to eliminate the gateway of the facilities of Dresser, Inc. in Washington County, Mo.

(93) *limestone*, in bags, from points in Washington County, Mo., to points in Nebraska, Colorado, Montana, North Dakota, South Dakota, Texas and Wyoming. The purpose of this filing is to eliminate the gateways of Adams County, Ill. and Quincy, Ill.

(94) *limestone*, in containers, from the facilities of Dresser Industries, Inc., in Washington County, Mo., to points in Florida, Georgia, North Carolina and South Carolina. The purpose of this filing is to eliminate the gateway of the facilities of Allied Products Co. at Roberta, Ala.

(95) *lime and lime products*, in bags, from points in Dodge, Fond du Lac and Manitowoc Counties, Wis., to points in Arkansas. The purpose of this filing is to eliminate the gateway of Ste. Genevieve, Mo.

(96) *lime and limestone products*, in bags, from points in Dodge, Fond du Lac and Manitowoc Counties, Wis., to points in Nebraska, Kansas, Iowa, Colorado, Texas, Oklahoma, Arkansas, Montana, Wyoming and Indiana. The purpose of this filing is to eliminate the gateways of Davenport, Iowa; Adams County, Ill.; and Hannibal, Mo.

(97) *limestone*, in containers, from points in Dodge, Fond du Lac and Manitowoc Counties, Wis., to points in New Mexico, Alabama, Florida, Georgia, North Carolina and South Carolina. The purpose of this filing is to eliminate the gateways of the facilities of Dresser, Inc. in Washington County, Mo. and the facilities of Allied Products Co. at Roberta, Ala.

(98) *lime and limestone products*, in containers, from Gibsonburg, Ohio, to points in Minnesota. The purpose of this filing is to eliminate the gateway of Davenport, Iowa.

(99) *limestone*, in containers, from Gibsonburg, Ohio, to points in New Mexico. The purpose of this filing is to eliminate the gateway of the facilities of Dresser, Inc. in Washington County, Mo.

(100) *lime, limestone and limestone products*, in containers, from Gibsonburg, Ohio, to points in Colorado, Kansas, Montana, Nebraska, North Dakota, South Dakota, Texas, Wyoming, Okla-

homa and Louisiana. The purpose of this filing is to eliminate the gateway of Hannibal, Mo.

(101) *lignin sulfinate liquor*, in bulk, from Fort Madison, Iowa, to points in Indiana, Kentucky, Michigan, Minnesota, Ohio, Wisconsin, Louisiana, Mississippi and Texas (except points in Chambers, Montgomery, Harris, Fort Bend, Galveston, Liberty and Brazoria Counties, Tex.). The purpose of this filing is to eliminate the gateways of the Hawkeye Chemical Facilities at Clinton, Iowa; and the Foster Grant Company facilities at Peru, Ill.

(102) *silica moulding sand and silica foundry sand*, in bulk, from points in St. Charles, St. Louis and Jefferson Counties, Mo., to points in Kansas and Oklahoma. The purpose of this filing is to eliminate the gateway of East St. Louis, Ill.

(103) *moulding and foundry sand*, in bulk, from points in Pike County, Mo., to points in Indiana, Kentucky, Kansas and Oklahoma. The purpose of this filing is to eliminate the gateway of East St. Louis, Ill.

(104) *silica moulding sand and silica foundry sand*, in bulk, from points in Pike County, Mo., to points in Arkansas, Kentucky, and Tennessee. The purpose of this filing is to eliminate the gateways of East St. Louis, Ill. and St. Louis, Mo.

(105) *fertilizer*, in bulk, from Selma, Mo. and points within 5 miles thereof, to points in Indiana, Michigan, Minnesota, Nebraska, North Dakota, Ohio, South Dakota and Wisconsin. The purpose of this filing is to eliminate the gateway of Fort Madison, Iowa and St. Louis, Mo.

(106) *dry fertilizer*, in bulk, from Selma, Mo., and points within 5 miles thereof, to points in Texas. The purpose of this filing is to eliminate the gateway of El Dorado, Ark.

(107) *dry fertilizer*, in bulk, in hopper-type vehicles, from East St. Louis, Ill., to points in Arkansas, Wisconsin, Illinois, Kansas, Kentucky, Ohio, Oklahoma, Indiana and Tennessee. The purpose of this filing is to eliminate the gateways of St. Louis, Mo. and Fulton, Ill.

(108) *fertilizer*, in bulk, in hopper-type vehicles, from East St. Louis, Ill., to points in Nebraska, Minnesota, North Dakota and South Dakota. The purpose of this filing is to eliminate the gateway of Fort Madison, Iowa.

(109) *dry fertilizer compounds*, in bulk, from Marseilles, Ill., to points in Oklahoma, Tennessee, Nebraska, Kentucky, Louisiana, Mississippi and Texas. The purpose of this filing is to eliminate the gateways of St. Louis, Mo.; El Paso, Ill.; El Dorado, Ark.; and the facilities of W. R. Grace & Company at Atlas, Mo.

(110) *fertilizers*, dry, in bulk, in tank and hopper-type vehicles, from the plantsite of Central Nitrogen near Terre Haute, Ind., to points in Arkansas, Kansas, Oklahoma, Minnesota, North Dakota, South Dakota, Louisiana, Mississippi, Tennessee and Texas. The purpose

of this filing is to eliminate the gateways of St. Louis, Mo.; El Paso, Ill.; and El Dorado, Ark.

(111) *dry fertilizer and fertilizer materials*, in bulk, from Clinton, Iowa, to points in Tennessee. The purpose of this filing is to eliminate the gateway of Cairo, Ill.

(112) *dry fertilizer*, in bulk, from Clinton, Iowa, to points in Alabama, Florida, Georgia, Louisiana, Mississippi, South Carolina and Texas. The purpose of this filing is to eliminate the gateway of El Dorado, Ark.

(113) *dry fertilizer and dry fertilizer materials*, in bulk, from Fulton, Ill., to points in Kansas, Minnesota, Missouri, Nebraska, North Dakota, Oklahoma and South Dakota. The purpose of this filing is to eliminate the gateway of Clinton, Iowa.

(114) *dry fertilizers*, in bulk, from Fulton, Ill., to points in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, South Carolina and Texas. The purpose of this filing is to eliminate the gateways of El Dorado, Ark.; and the facilities of W. R. Grace & Company at Atlas, Mo.

(115) *dry fertilizer*, in bulk, from Muscatine, Iowa and points within 5 miles thereof, to points in Arkansas, Texas (except points in Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery and Waller Counties, Tex.), and Oklahoma. The purpose of this filing is to eliminate the gateway of the facilities of W. R. Grace & Company at Atlas, Mo.

(116) *fertilizer*, in bulk, from Muscatine, Iowa and points within 5 miles thereof, to points in Arkansas, Kentucky and Tennessee. The purpose of this filing is to eliminate the gateways of St. Louis, Mo. and Cairo, Ill.

(117) *dry ammonium nitrate*, in bulk, from Louisiana, Mo., to points in Arkansas, Kansas, Kentucky, Missouri, Ohio, Oklahoma, Tennessee, Indiana, Minnesota, Nebraska, North Dakota, South Dakota, Michigan, Wisconsin, Mississippi, Louisiana and Texas. The purpose of this filing is to eliminate the gateways of St. Louis, Mo.; Fort Madison, Iowa; Streator, Ill.; El Dorado, Ark.; and the facilities of IMC at Chicago Heights, Ill.

(118) *dry fertilizer and fertilizer ingredients*, in bulk, from the facilities of W. R. Grace & Company at or near Perry, Iowa, to points in Arkansas, Kentucky, Tennessee, Louisiana, Mississippi and Texas. The purpose of this filing is to eliminate the gateways of St. Louis, Mo. and El Dorado, Ark.

(119) *dry fertilizer*, from the facilities of W. R. Grace & Company at or near Perry, Iowa, to points in Kansas, Michigan, Oklahoma and Indiana. The purpose of this filing is to eliminate the gateways of Kansas City, Mo.; Streator, Ill.; the facilities of IMC at Chicago Heights, Ill.; and the facilities of W. R. Grace & Company at Atlas, Mo.

(120) *fertilizer*, in bulk, in tank or hopper-type vehicles, from Streator, Ill., to points in Kentucky, Michigan, and

(147) *chemicals*, in containers: (a) from points in Illinois, to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Pennsylvania, West Virginia, Wisconsin, Arkansas, Kansas, Tennessee, Oklahoma, North Dakota and South Dakota; (b) from points in Indiana, to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Pennsylvania, West Virginia, Wisconsin, Arkansas, Kansas, Tennessee, Oklahoma, North Dakota and South Dakota; (c) from points in Iowa, to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Pennsylvania, West Virginia, Wisconsin, Arkansas, Kansas, Tennessee, Oklahoma, North Dakota and South Dakota; (d) from points in Kentucky, to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Pennsylvania, West Virginia, Wisconsin, Arkansas, Kansas, Tennessee, Oklahoma, North Dakota and South Dakota; (e) from points in Michigan, to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Pennsylvania, West Virginia, Wisconsin, Arkansas, Kansas, Tennessee, Oklahoma, North Dakota and South Dakota; (f) from points in Minnesota, to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Pennsylvania, West Virginia, Wisconsin, Arkansas, Kansas, Tennessee, Oklahoma, North Dakota and South Dakota; (g) from points in Missouri, to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Pennsylvania, West Virginia, Wisconsin.

Arkansas, Kansas, Tennessee, Oklahoma, North Dakota and South Dakota; (h) from points in Nebraska, to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Pennsylvania, West Virginia, Wisconsin, Arkansas, Kansas, Tennessee, Oklahoma, North Dakota and South Dakota; (i) from points in New York, to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Pennsylvania, West Virginia, Wisconsin, Arkansas, Kansas, Tennessee, Oklahoma, North Dakota and South Dakota; (j) from points in Pennsylvania, to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Pennsylvania, West Virginia, Wisconsin, Arkansas, Kansas, Tennessee, Oklahoma, North Dakota and South Dakota; (k) from points in Wisconsin, to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Pennsylvania, West Virginia, Wisconsin, Arkansas, Kansas, Tennessee, Oklahoma, North Dakota and South Dakota; (l) from points in Georgia, to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Pennsylvania, West Virginia, Wisconsin, Arkansas, Kansas, Tennessee, Oklahoma, North Dakota and South Dakota; (m) from points in Florida, to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Pennsylvania, West Virginia, Wisconsin, Arkansas, Kansas, Tennessee, Oklahoma, North Dakota and South Dakota; (n) from points in Ohio, to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Pennsylvania, West Virginia, Wisconsin, Arkansas, Kansas, Tennessee, Oklahoma, North Dakota and South Dakota; (o) from points in New Jersey, to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Pennsylvania, West Virginia, Wisconsin, Arkansas, Kansas, Tennessee, Oklahoma, North Dakota and South Dakota; (p) from points in California, to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Pennsylvania, West Virginia, Wisconsin, Arkansas, Kansas, Tennessee, Oklahoma, North Dakota and South Dakota; (q) from points in Nevada, to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Pennsylvania, West Virginia, Wisconsin, Arkansas, Kansas, Tennessee, Oklahoma, North Dakota and South Dakota; (r) from points in Tennessee (except Memphis, Tenn. and points within its Commercial Zone as defined by the Commission), to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Pennsylvania, West Virginia, Wisconsin, Arkansas, Kansas, Tennessee, Oklahoma, North Dakota and South Dakota; (s) from points in West Virginia, to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Pennsylvania, West Virginia, Wisconsin, Arkansas, Kansas, Tennessee, Oklahoma, North Dakota and South Dakota; (t) from points in West Virginia, to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Pennsylvania, West Virginia, Wisconsin, Arkansas, Kansas, Tennessee, Oklahoma, North Dakota and South Dakota; (u) from points in West Virginia, to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Pennsylvania, West Virginia, Wisconsin, Arkansas, Kansas, Tennessee, Oklahoma, North Dakota and South Dakota; (v) from points in West Virginia, to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Pennsylvania, West Virginia, Wisconsin, Arkansas, Kansas, Tennessee, Oklahoma, North Dakota and South Dakota; (w) from points in West Virginia, to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Pennsylvania, West Virginia, Wisconsin, Arkansas, Kansas, Tennessee, Oklahoma, North Dakota and South Dakota; (x) from points in West Virginia, to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Pennsylvania, West Virginia, Wisconsin, Arkansas, Kansas, Tennessee, Oklahoma, North Dakota and South Dakota; (y) from points in West Virginia, to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Pennsylvania, West Virginia, Wisconsin, Arkansas, Kansas, Tennessee, Oklahoma, North Dakota and South Dakota; (z) from points in West Virginia, to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Pennsylvania, West Virginia, Wisconsin, Arkansas, Kansas, Tennessee, Oklahoma, North Dakota and South Dakota.

sylvania, West Virginia, Wisconsin, Arkansas, Kansas, Tennessee, Oklahoma, North Dakota and South Dakota. The purpose of this filing is to eliminate the gateways at El Paso, Ill.; Oglesby, Ill.; and East St. Louis, Ill.

No. MC 117823 (Sub-No. 46G) (Amendment), filed June 3, 1974, published in the FEDERAL REGISTER issue of December 5, 1974, and republished as amended this issue. Applicant: DUNKLEY REFRIGERATED TRANSPORT, INC., 1915 South 900 West, Salt Lake City, Utah 84104. Applicant's representative: Lon Rodney Kump, 200 Law Building, 333 East Fourth South, Salt Lake City, Utah 84111. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen foods and foodstuffs* in mechanically refrigerated vehicles, from points in California, Idaho, Oregon, Washington, Utah, and Sparks, Nev., and Thayne Wyo., to points in Arizona, California, Colorado, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming. The purpose of filing is to eliminate the gateways at Sparks, Nev., points in Oregon, and Utah, and points in Idaho south of the southern boundary in Idaho County. The purpose of this republication is to add Washington as an origin point.

No. MC 117883 (Sub-No. 193G), filed June 4, 1974. Applicant: SUBLER TRANSFER, INC., 791 East Main Street, Versailles, Ohio 45380. Applicant's representative: Edward J. Subler, P.O. Box 62, Versailles, Ohio 45380. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products, meat by-products, and articles distributed by meat packinghouses* as described by the Commission in Section A and C of Appendix I to the report in *Description in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from South Bend, Ind., to points in Kentucky, Pennsylvania, and New York. The purpose of this filing is to eliminate the gateway at Union City, Ohio. (2) *Food and food products*, from points in Middlesex, Morris, and Somerset Counties, N.J., to points in Ohio, West Virginia, and points in Pennsylvania on and west of U.S. Highway 15. The purpose of this filing is to eliminate the gateways at New York, N.Y.

No. MC 119934 (Sub-No. 196-G) filed May 30, 1974. Applicant: ECOFF TRUCKING, INC., 625 East Broadway, Fortville, Ind. 46040. Applicant's representative: Robert W. Loser, 1009 Chamber of Commerce Bldg., Indianapolis, Ind. 46204. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) (a) *Acids*, in bulk, in tank vehicles, from East Chicago, Ind., to points in Kentucky, Ohio, Pennsylvania, and Tennessee (except Kingsport and Elizabethton), and Atlanta, Ga.; and (b) *phosphoric acid*, in bulk, in tank vehicles, from East Chicago, Ind., to points in New York and West Virginia. The purpose of this filing

is to eliminate the gateways at the plant-site of Central Chemical Co. Division of Wilson and Company, Inc., located at Elwood, Ill., and the gateways at Ashland, Ky., and Fernald, Ohio (2) *liquid chemicals*, in bulk, in tank vehicles (except petroleum derivative chemicals as defined by the Commission), from Jeffersonville, Ind., to points in Tennessee (except Kingsport and Elizabethton) and Atlanta, Ga. The purpose of this filing is to eliminate the gateway at Ashland, Ky. (3) *liquid chemicals*, in bulk, in tank vehicles, from the plant-site of National Distillers Products Corporation located at or near Ficklin (Tuscola), Ill., to points in Atlanta, Ga., and Tennessee (except Kingsport and Elizabethton). The purpose of this filing is to eliminate the gateway at Ashland, Ky. (4) *silicate of soda*, in bulk, in tank vehicles, from Fortville, Ind., to points in Tennessee (except Kingsport and Elizabethton). The purpose of this filing is to eliminate the gateway at Ironton, Ohio.

No. MC 124174 (Sub-No. 99-G), filed June 4, 1974. Applicant: MOMSEN TRUCKING CO., 2405 Hiway Boulevard, Spencer, Iowa 51301. Applicant's representative: Karl E. Momen, P.O. Box 37490, Omaha, Nebr. 68137. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Hides, skins, pelts, and pieces thereof, tannery products, supplies and by-products* (except commodities in bulk in tank vehicles), from points in Kansas, Missouri, and Oklahoma, to points in Texas and to New Orleans, La. The purpose of this filing is to eliminate the gateways at Bolivar, Tenn., Muscatine, Iowa, and Houston, Tex.

No. MC 124211 (Sub-No. 248G), filed June 3, 1974. Applicant: HILT TRUCK LINE, INC., P.O. Box 988, D.T.S., Omaha, Nebr. 68101. Applicant's representative: Thomas L. Hilt (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (A) *Frozen foods* (except in bulk), (1) from Chicago, Ill., to points in Nebraska; and (2) from Kansas City, Mo., to points in Nebraska;

(B) *Frozen foods* (except dairy products and in bulk), (1) between points in Nebraska, on the one hand, and, on the other, points in Missouri (except Carrollton and Carthage); and (2) from Chicago, Ill., to points in Missouri on and west of U.S. Highway 65 (except Carrollton and Carthage);

(C) *Processed meats and meat products* (except in bulk), (1) from points in Nebraska, to points in Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, North Dakota, Ohio, South Dakota, and Wisconsin; (2) from points in Missouri on and west of U.S. Highway 65 (except Carrollton and Carthage), to points in Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin; (3) from Chicago, Ill., to points in Nebraska, North Dakota, South Dakota, and Wyoming, and to those points in Missouri on and west of U.S. Highway 65; and (4)

from Kansas City, Kans., to points in Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin;

(D) *Processed meats and meat products* (except in bulk, and frozen foods), (1) from points in Nebraska, to points in Arkansas, Kansas, Louisiana, Mississippi, Oklahoma, Texas, and Wyoming; (2) from Chicago, Ill., to points in Kansas, Nebraska, North Dakota, Oklahoma, South Dakota, Texas, and Wyoming; (3) from points in Arkansas, to points in Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Wyoming; (4) from points in Kansas, to points in Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri (except points south of U.S. Highway 50), Nebraska, North Dakota, Ohio, South Dakota, Wisconsin, and Wyoming; (5) from points in Louisiana, to points in Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Wyoming; (6) from points in Mississippi, to points in Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Wyoming; (7) from points in Missouri, to points in Wyoming; (8) from points in Oklahoma, to points in Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri (except points south of U.S. Highway 50), Nebraska, North Dakota, Ohio, South Dakota, Wisconsin, and Wyoming; and (9) from points in Texas, to points in Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri (except points south of Interstate Highway 70), Nebraska, North Dakota, Ohio, South Dakota, Wisconsin, and Wyoming;

(E) *Fresh meats* (except in bulk and except frozen foods), from points in Texas, to points in Wisconsin;

(F) *Dairy products* (except frozen and in bulk), (1) between points in Arkansas, Louisiana, Mississippi, Nebraska, Oklahoma, and Texas, on the one hand, and, on the other, points in Idaho, Montana, Nebraska, North Dakota, and South Dakota; and (2) from points in Idaho, Montana, Nebraska, North Dakota, Oklahoma, South Dakota, and Texas, to points in the United States in and east of the States of Ohio, West Virginia, and Virginia;

(G) *Dairy products*, as described in Section B of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except in bulk), from points in Nebraska and Smith Center, Kans., to points in Connecticut, Maryland, Massachusetts, New Jersey, New York, and Pennsylvania, and to the District of Columbia;

(H) *Canned goods*, (1) from points in Illinois and Iowa, to points in the United States in and west of the States of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas (except Alaska and Hawaii); and (2) from points in Kansas, to points in the United States in and north of the southern boundaries of California, Nevada, Utah, Wyoming, Nebraska, Iowa, Illinois, Kentucky, and Virginia;

(I) *Food products* (except meats, meat products, meat by-products, dairy products, and articles distributed by meat packinghouses, as described in Sections

A, B, and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, frozen foods, and commodities in bulk), (1) from points in Arkansas, to points in Iowa, Minnesota, and Wisconsin, and to those points in Illinois on and north of U.S. Highway 36; (2) between points in Arkansas, on the one hand, and, on the other, points in Nebraska; (3) between points in Arizona, on the one hand, and, on the other, points in Nebraska, North Dakota, and South Dakota; (4) between points in Idaho, on the one hand, and, on the other, points in Nebraska, Oklahoma, and Texas; (5) from points in Idaho, to points in Iowa, Minnesota and Wisconsin; (6) from points in Kansas, to points in the United States, (except points in Alaska, Arizona, Arkansas, California, Colorado, Idaho, Kansas, Louisiana, Missouri, Montana, Nebraska, Nevada, New Mexico, Oklahoma, and Utah);

(7) Between points in Kansas on the one hand, and, on the other, points in Arizona, and Nebraska; (8) from points in Louisiana, to points in Iowa, Minnesota, Nebraska, and Wisconsin, and to those points in Illinois on and north of U.S. Highway 36; (9) from points in Mississippi, to points in Iowa, Minnesota, and Nebraska; (10) from points in Missouri (except Carrollton and Carthage), to points in Iowa, Minnesota, and Nebraska; (11) from points in Missouri on and west of Missouri State Highway 5 (except Carrollton and Carthage), to points in the United States (except Alaska, Arizona, Arkansas, California, Colorado, Hawaii, Idaho, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, Oklahoma, Oregon, Utah, Washington, and Wyoming); (12) between points in Missouri on and west of Missouri State Highway 5 (except Carrollton and Carthage), on the one hand, and, on the other, points in Arizona, and New Mexico; (13) from points in Montana, to points in Iowa, Michigan, Minnesota, and Wisconsin; (14) between points in Montana, on the one hand, and, on the other, points in Nebraska, Oklahoma, and Texas; (15) from points in Nebraska, to points in the United States (except Alaska, Colorado, and Hawaii); (16) from points in Nevada, to points in Minnesota; (17) between points in Nevada, on the one hand, and, on the other, points in Arkansas, Kansas, Louisiana, Mississippi, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, and Texas, except from Carrollton and Carthage, Mo., to points in Nevada; (18) between points in New Mexico, on the one hand, and, on the other, points in Nebraska, North Dakota, and South Dakota; (19) from points in New Mexico, to points in Illinois, Indiana, Kentucky, Missouri, Virginia, and West Virginia; (20) between points in North Dakota, on the one hand, and, on the other, points in Nebraska, Oklahoma, and Texas; (21) from points in North Dakota, to points in Illinois, Indiana, Iowa, Kentucky, Maryland, Michigan, New York, Ohio, Pennsylvania, and West Virginia; (22) between

points in Oklahoma, on the one hand, and, on the other, points in Idaho, Montana, Nebraska, North Dakota, and South Dakota; (23) from points in Oklahoma, to points in the United States east of the western boundaries of the States of Wisconsin and Illinois and north of the southern boundaries of the States of Kentucky, and Virginia, and to points in Iowa, Oregon, Washington, and Wyoming;

(24) Between points in South Dakota, on the one hand, and, on the other, points in Arizona, California, Nevada, New Mexico, Oklahoma, and Texas; (25) from points in South Dakota, to points in Illinois, Indiana, Iowa, Michigan, Nebraska, New York, Ohio, Pennsylvania, and West Virginia; (26) from points in Tennessee (except Bells, Humboldt, Jackson, Milan, and Memphis and points in its commercial zone as defined by the Commission), to points in Iowa, Minnesota and Nebraska; (27) between points in Tennessee on the one hand, and, on the other, points in California, except from Wells, Humboldt, Jackson, Milan, and Memphis and points in its commercial zone, to points in California; (28) from points in Texas, to points in the United States north of the southern boundaries of Virginia, Kentucky, Missouri, Kansas, Nebraska, Wyoming, Idaho, and Oregon (except Alaska, Hawaii, and points in Kansas south of U.S. Highway 50); (29) from points in Utah, to points in Alabama, and Minnesota, and Nebraska; (30) between points in Utah, on the one hand, and, on the other, points in Arkansas, Kansas, Louisiana, Mississippi, Missouri, North Dakota, and South Dakota, except from Carrollton and Carthage, Mo., to points in Utah; and (31) from Chicago, Ill., to points in the United States on and west of U.S. Highway 61, except Alaska and Hawaii.

Restrictions: The authority sought in (I) above is restricted: (a) against the transportation of potato products destined to points in Idaho, Kansas, Montana, Oregon, Washington, and Wyoming; (b) against the transportation of potato products originating at points in Idaho, Kansas, Montana, North Dakota, and South Dakota; (c) against the transportation of flour originating at St. Louis, Mo.; (d) against the transportation of confectionery and confectionary products destined to points in Kentucky, Oregon, Washington, and Wyoming; and (e) against the transportation of coffee destined to points in Kentucky. The purpose of this filing is to eliminate the gateways at points in Nebraska, and Grand Island, Lincoln, Omaha, South Sioux City, and points in Saunders County, Nebr.

Office of Proceedings

Irregular-Route Motor Common Carriers of Property—Elimination of Gateway Letter Notices

NOTICE

JANUARY 9, 1975.

The following letter-notices of proposals to eliminate gateways for the

purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's *Gateway Elimination Rules* (49 CFR 1065 (a)), and notice thereof to all interested persons is hereby given as provided in such rules.

An original and two copies of protests against the proposed elimination of any gateway herein described may be filed with the Interstate Commerce Commission within 10 days from the date of this publication. A copy must also be served upon applicant or its representative. Protests against the elimination of a gateway will not operate to stay commencement of the proposed operation.

Successively filed letter-notices of the same carrier under these rules will be numbered consecutively for convenience in identification. Protests, if any, must refer to such letter-notices by number.

No. MC 31462 (Sub-No. E67), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Georgia, on the one hand, and, on the other, points in Texas on and north of U.S. Highway 66. The purpose of this filing is to eliminate the gateways of (1) any point in Oklahoma County, Okla.; (2) any point in Missouri within 25 miles of Cairo, Ill.; and (3) any point in Tennessee.

No. MC 31462 (Sub-No. E69), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Georgia, on the one hand, and, on the other, points in Kansas. The purpose of this filing is to eliminate the gateways of (1) any point in Tennessee; and (2) any point in Missouri within 25 miles of Cairo, Ill.

No. MC 31462 (Sub-No. E56), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Connecticut, on the one hand, and, on the other, points in Oklahoma. The purpose of this filing is to eliminate the gateways of (1) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof; and (2) Kansas City, Mo., or any point within 30 miles thereof.

No. MC 31462 (Sub-No. E57), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative:

R. L. Rork. (Same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Connecticut, on the one hand, and, on the other, points in Illinois. The purpose of this filing is to eliminate the gateway of Fort Wayne, Ind., or any point in Indiana within 40 miles thereof.

No. MC 31462 (Sub-No. E70), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Missouri, on the one hand, and, on the other, points in Georgia. The purpose of this filing is to eliminate the gateways of (1) any point in Missouri within 25 miles of Cairo, Ill.; and (2) any point in Tennessee.

No. MC 31462 (Sub-No. E71), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Iowa, on the one hand, and, on the other, points in Georgia. The purpose of this filing is to eliminate the gateways of (1) Cairo, Ill., or any point in Illinois within 25 miles thereof; and (2) any point in Tennessee.

No. MC 31462 (Sub-No. E72), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Nebraska, on the one hand, and, on the other, points in Georgia. The purpose of this filing is to eliminate the gateways of (1) Cairo, Ill., or any point in Illinois within 25 miles thereof; and (2) any point in Tennessee.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 75-1203 Filed 1-13-75; 8:45 am]

[Ex Parte No. 55 (Sub-No. 10)]

APPLICATION PROCEDURES

Notice to Parties

JANUARY 7, 1975.

General rules of practice, Rule 247. In the above-entitled proceeding published at 120 M.C.C. 670, the Commission prescribed revised rules applicable to the filing of applications for operating authority, shipper certification requirements, and rules regarding restrictive amendments to applications. All parties affected thereby are hereby advised that

the application of these rules will be limited to those applications filed with the Commission after the effective date thereof.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 75-1197 Filed 1-13-75; 8:45 am]

[Finance Docket No. 27563; AB 19 (Sub-No. 17)]

BALTIMORE & OHIO RAILROAD CO.

Notice of Abandonment

DECEMBER 31, 1974.

Baltimore & Ohio Railroad Company, abandonment portion the Wooster Branch between Lodi and Wooster, in Medina and Wayne Counties, Ohio.

Baltimore & Ohio Railroad Company, trackage rights, over Penn Central Transportation Company between Warwick and Wooster, in Wayne County, Ohio.

The Interstate Commerce Commission hereby gives notice that: 1. On Wednesday, November 27, 1974, notice was published in Medina and Wayne Counties, Ohio that an environmental threshold assessment survey was made in the above-entitled proceeding and based on that assessment an order was served finding that the proceeding does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4321, et seq. 2. No comments in opposition, of an environmental nature, were received by the Commission in response to the November 27, 1974 notice. 3. This proceeding is now ready for further disposition within the Office of Hearings or the Office of Proceedings as appropriate.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 75-1200 Filed 1-13-75; 8:45 am]

FOURTH SECTION APPLICATION FOR RELIEF

JANUARY 9, 1975.

An application, as summarized below, has been filed requesting relief from the requirements of section 4 of the Interstate Commerce Act to permit common carriers named or described in the application to maintain higher rates and charges at intermediate points than those sought to be established at more distant points.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the General Rules of Practice (49 CFR 1100.40) and filed on or before January 29, 1975.

FSA No. 42925—Minimum Charges—Carload Shipments—Eastern Territory. Filed by Traffic Executive Association—Eastern Railroads, Agent, (E.R. No. 3043), for interested rail carriers. Rates on carload shipments between points in

eastern territory. Grounds for relief—Rate relationship.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 75-1194 Filed 1-13-75; 8:45 am]

[AB 44 (Sub-No. 6)]

LEHIGH VALLEY RAILROAD CO.

Notice of Abandonment

DECEMBER 31, 1974.

John F. Nash and Robert C. Halde-
man, trustees of the property of Lehigh
Valley Railroad Company, debtor,
abandonment portion National Docks
Branch between Bright Street and
Academy Street, in Jersey City, Hudson
County, N.J.

The Interstate Commerce Commission
hereby gives notice that: 1. On Friday,
December 6, 1974, notice was published
in Hudson County, N.J., that an environ-
mental threshold assessment survey was
made in the above-entitled proceeding
and based on that assessment an order
was served finding that the proceeding
does not constitute a major Federal ac-
tion significantly affecting the quality of
the human environment within the
meaning of the National Environmental
Policy Act of 1969 (NEPA), 42 U.S.C.
4321, et seq. 2. No comments in opposi-
tion, of an environmental nature, were
received by the Commission in response
to the December 6, 1974 notice. 3. This
proceeding is now ready for further dis-
position within the Office of Hearings or
the Office of Proceedings as appropriate.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 75-1198 Filed 1-13-75; 8:45 am]

[Notice No. 215]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

JANUARY 14, 1975.

Synopses of orders entered by the
Motor Carrier Board of the Commission
pursuant to sections 212(b), 206(a), 211,
312(b), and 410(g) of the Interstate
Commerce Act, and rules and regulations
prescribed thereunder (49 CFR Part
1132), appear below:

Each application (except as otherwise
specifically noted) filed after March 27,
1972, contains a statement by applicants
that there will be no significant effect on
the quality of the human environment
resulting from approval of the applica-
tion. As provided in the Commission's
Special Rules of Practice any interested
person may file a petition seeking recon-

sideration of the following numbered
proceedings on or before February 3,
1975. Pursuant to section 17(8) of the In-
terstate Commerce Act, the filing of such
a petition will postpone the effective date
of the order in that proceeding pending
its disposition. The matters relied upon
by petitioners must be specified in their
petitions with particularity.

No. MC-FC-75500. By order of De-
cember 17, 1974, the Motor Carrier Board
approved the transfer to Mass. Trans-
portation, Inc., Cambridge, Mass., of the
Certificate of Registration in No. MC
97244 (Sub-No. 1) issued January 22,
1964, to Lordan Bros., a corporation,
Cambridge, Mass., evidencing a right of
the holder to engage in transportation
in interstate or foreign commerce cor-
responding in scope to the grant of au-
thority in Irregular Route Common Car-
rier Certificate No. 1678 dated January
27, 1949, issued by the Massachusetts De-
partment of Public Utilities. Arthur A.
Wentzell, 275 Cherry Street, Shrews-
bury, Mass. 01545, registered practitioner
for applicants.

No. MC-FC-75505. By order entered
12.31.74 the Motor Carrier Board ap-
proved the transfer to Sheridan Truck
Line, Inc., Sheridan, Ark., of the op-
erating rights set forth in Certificate of
Registration No. MC 120984 (Sub-No.
1), issued October 21, 1963, to Nathan
Lee Pumphrey, Prattsville, Ark., evi-
dencing a right to engage in operations
in interstate or foreign commerce, in
the transportation of general com-
modities, between specified points in
Arkansas. Willis V. Lewis, 200 Arch St.,
Little Rock, Ark. 72201, attorney for ap-
plicants.

No. MC-FC-75509. By order of De-
cember 17, 1974, the Motor Carrier Board
approved the transfer to Hayden Oil &
Supply Co., Inc., North Adams, Mass., of
the operating rights in Certificate No.
MC 114721 issued November 17, 1959, to
Grundy's Garage, Inc., doing business as
Grundy's Garage, Williamstown, Mass.,
authorizing the transportation of wrecked
or disabled motor vehicles, between
Williamstown, Mass., and points within
10 miles thereof, on the one hand, and,
on the other, points within 125 miles of
Williamstown, except Manchester and
Nashua, N.H. David M. Marshall, 135
State Street, Springfield, Mass. 01103,
attorney for applicants.

No. MC-FC-75548. By order of Decem-
ber 26, 1974, the Motor Carrier Board
approved the transfer to John P. Jordan,
Jr., doing business as Veteran's Truck-
ing, Chicago, Ill., of the Certificate of
Registration in No. MC 96849 (Sub-No.

1) issued October 30, 1963, to John P.
Jordan, Jr., and Marshall L. Broussard,
a partnership, doing business as Vet-
eran's Trucking, Chicago, Ill., evidencing
the right of the holder to engage in
transportation in interstate or foreign
commerce corresponding in scope to the
grant of authority in certificate of public
convenience and necessity No. 8881-MC
dated July 2, 1956, issued by the Illinois
Commerce Commission. William M. Gib-
bons, 33 North Dearborn Street, Chicago,
Ill. 60602, attorney for applicants.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 75-1196 Filed 1-13-75; 8:45 am]

[Notice No. 216]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

JANUARY 14, 1975.

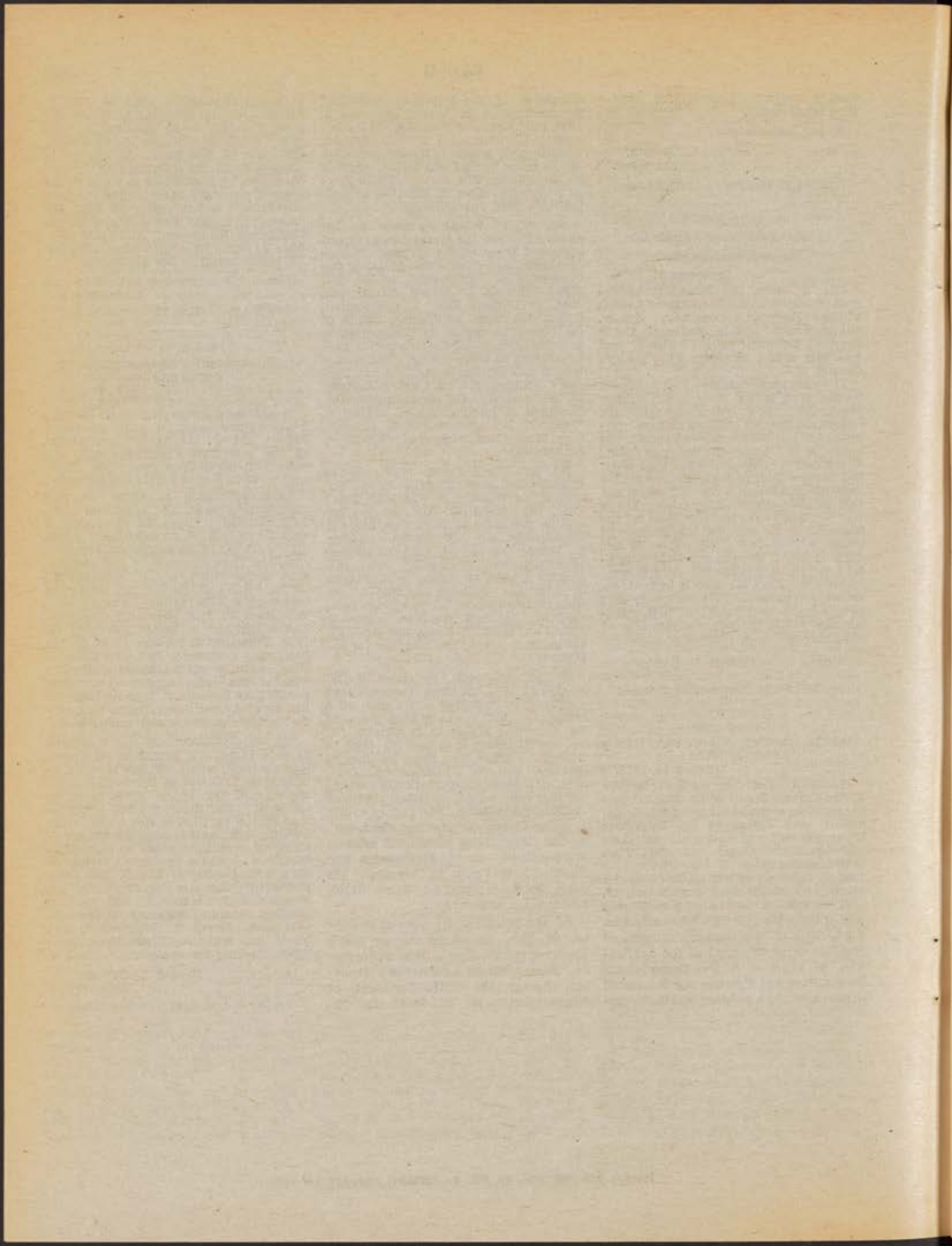
Synopses of orders entered by Division
3 of the Commission pursuant to sections
212(b), 206(a), 211, 312(b), and 410(g)
of the Interstate Commerce Act, and
rules and regulations prescribed there-
under (49 CFR Part 1132), appear below:

Each application (except as otherwise
specifically noted) filed after March 27,
1972, contains a statement by applicants
that there will be no significant effect
on the quality of the human environment
resulting from approval of the applica-
tion. As provided in the Commission's
General Rules of Practice any interested
person may file a petition seeking recon-
sideration of the following numbered
proceedings on or before February 13,
1975. Pursuant to section 17(8) of the
Interstate Commerce Act, the filing of
such a petition will postpone the effective
date of the order in that proceeding
pending its disposition. The matters re-
lied upon by petitioners must be speci-
fied in their petitions with particularity.

No. MC-FC-75250. By order entered
12.24.74 Division 3, acting as an Appel-
late Division, approved the transfer to
Broadway Transfer of Russellville, Inc.,
Russellville, Ark., of the operating rights
set forth in Certificate No. MC 40925, is-
sued March 21, 1974, to Roy Smith, Rus-
sellville, Ark., authorizing the transpor-
tation of household goods as defined in
*Practices of Motor Common Carriers of
Household Goods*, 17 M.C.C. 467, from
Russellville, Ark., to specified areas in
Missouri and Oklahoma; and from a
specified area in Oklahoma, to Russell-
ville, Ark. Harry E. McDermott, Jr.,
Union Life Building, Little Rock, Ark.
72201, attorney for applicants.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 75-1195 Filed 1-13-75; 8:45 am]



federal register

TUESDAY, JANUARY 14, 1975

WASHINGTON, D.C.

Volume 40 ■ Number 9

PART II



ENVIRONMENTAL PROTECTION AGENCY



FERTILIZER MANUFACTURING POINT SOURCE CATEGORY

**Effluent Guidelines and Standards
and Proposed Pretreatment Standards
for Certain Subcategories**

Title 40—Protection of the Environment

CHAPTER I—ENVIRONMENTAL
PROTECTION AGENCYSUBCHAPTER N—EFFLUENT GUIDELINES
AND STANDARDS

[FRL 319-8]

PART 418—FERTILIZER MANUFACTURING
POINT SOURCE CATEGORYSubpart F—Ammonium Sulfate
SubcategorySubpart G—Mixed and Blend Fertilizer
Subcategory

On October 7, 1974, notice was published in the FEDERAL REGISTER (39 FR 36094), that the Environmental Protection Agency (EPA or Agency) was proposing effluent limitations guidelines for existing sources and standards of performance and pretreatment standards for new sources within the ammonium sulfate subcategory and the mixed and blend fertilizers subcategory of the fertilizer manufacturing category of point sources.

The purpose of this notice is to establish final effluent limitations guidelines for existing sources and standards of performance and pretreatment standards for new sources in the fertilizer manufacturing category of point sources, by amending 40 CFR Chapter I, Subchapter N, Part 418 by adding thereto the ammonium sulfate subcategory (Subpart F), and the mixed and blend fertilizers subcategory (Subpart G). This final rulemaking is promulgated pursuant to sections 301.304(b) and (c), 306(b) and (c) and 307(c) of the Federal Water Pollution Control Act, as amended (the Act); 33 U.S.C. 1251, 1311, 1314(b) and (c), 1316(b) and (c) and 1317(c); 86 Stat. 816 et seq.; Pub. L. 92-500. Regulations regarding cooling water intake structures for all categories of point sources under section 316(b) of the Act will be promulgated in 40 CFR 402.

In addition, the EPA is simultaneously proposing a separate provision which appears as the second document in this Part II, stating the application of the limitations and standards set forth below to users of publicly owned treatment works which are subject to pretreatment standards under section 307(b) of the Act. The basis of that proposed regulation is set forth in the associated notice of proposed rulemaking.

The legal basis, methodology and factual conclusions which support promulgation of this regulation were set forth in substantial detail in the notice of public review procedures published August 6, 1973 (38 FR 21202) and in the notice of proposed rulemaking for the ammonium sulfate subcategory and the mixed and blend fertilizers subcategory. In addition, the regulations as proposed were supported by two other documents: (1) the document entitled "Development Document for Proposed Effluent Limitations Guidelines and New Source Performance Standards for the Formulated Fertilizer Segment of the Fertilizer Manufacturing Point Source Category" (September 1974) and (2) the document entitled

"Economic Analysis of Proposed Effluent Guidelines for the Fertilizer Manufacturing Industry (Phase II)" (September 1974). Both of these documents were made available to the public and circulated to interested persons at approximately the time of publication of the notice of proposed rulemaking.

Interested persons were invited to participate in the rulemaking by submitting written comments within 30 days from the date of publication. Prior public participation in the form of solicited comments and responses from the States, Federal agencies, and other interested parties were described in the preamble to the proposed regulation. The EPA has considered carefully all of the comments received and a discussion of these comments with the Agency's response thereto follows.

(a) SUMMARY OF COMMENTS

The following responded to the request for written comments contained in the preamble to the proposed regulation: The Fertilizer Institute and Dow Badische Company.

Each of the comments received was carefully reviewed and analyzed. The following is a summary of the significant comments and the Agency's response to them.

(1) A comment was made requesting that the regulations for ammonium sulfate specifically exclude ammonium sulfate produced by the caprolactam process.

This was made clear in the development document but the exclusion has been added to the regulation.

(2) One commenter stated that for granulation plants, costs should be higher because down time for grade changes and cleaning of sparger pipes was not considered.

Effluent control costs are primarily related to the amount of production throughput rather than the total number of operating days per year. Estimates of annual production were based upon information obtained from informed industry sources and are believed to accurately reflect annual production tonnages.

Nevertheless, the length of the operating season could be understated due to the fact that production down time was not fully accounted for. Although this should not affect effluent control costs, it is possible that labor costs in the production model have been underestimated. Yet, labor costs are estimated to be 49 percent of direct production expenses for a 20 ton per hour Ammoniation-Granulation plant. Thus, a 20 percent increase in labor cost as the result of down time would change total production cost by less than 1 percent. Therefore, inaccurate treatment of down time should not have a significant effect on the conclusions of the economic analysis.

(3) One commenter stated that the number of employees should be increased 50 to 75 percent to include personnel in addition to production personnel.

Estimates of the average number of employees were obtained from sources

familiar with granulated fertilizer plants and included non-production personnel.

(4) One commenter stated that statements to the effect that normal superphosphate (NSP) plants will not need additional controls for zero discharge should be corrected.

This is an incorrect interpretation of the Economic Analysis document. NSP production is not covered by this regulation. NSP is a raw material for some mixed fertilizers. In spite of the fact that not all NSP plants have controls in place, most plants do have BPT treatment installed. Therefore, the assumption that the transfer price for NSP to the ammoniator-granulator plant includes pollution control costs is reasonable.

(5) One commenter stated that an interest rate of 7.5 percent was used in the report instead of current levels of 10 to 12 percent.

The interest rate on long term debt used in the determination of the cost of capital reflects both current interest rates and the cost of imbedded debt. Whereas it is true that present interests are in the range of 10 to 12 percent, the cost of old debt is considerably lower. Therefore, it would be incorrect to use only current interest rates in the analysis, since it would cause the present value of the existing investment in the fertilizer plant to be understated.

(6) One comment was that equipment costs for effluent control were based on 1973 levels and increases of up to 20 percent have occurred since that time.

Although installed equipment costs have increased significantly since 1973, it is believed that the basic relationships between pollution control costs and plant cash flows and profits are substantially unchanged. In spite of the fact raw materials prices are up sharply, there have also been major increases in fertilizer prices. Hence, rising revenues should be adequate to cover higher pollution abatement equipment costs.

(7) One commenter noted that diammonium phosphate equipment is sometimes used for producing NPK fertilizer and this operation was not described.

A few plants occasionally add potash to the diammonium phosphate granulator to produce a NPK fertilizer. Where this is done it is only a few weeks in a year and is a minor variation on the principal diammonium phosphate production. For guidelines purposes, this operation should be considered part of the Phase I fertilizer guidelines, which cover diammonium phosphate.

(8) The remark was made that data collection from only eight mixed and blend fertilizer plants does not provide the broad perspective needed. It was suggested that at least 15 to 20 plants be considered as a minimum in studying these processes.

This industry is made up of a large number of plants and the approach to study necessarily required selection of exemplary plants that properly represent the operation of the total group. The contractor has extensive knowledge of

the industry and from this knowledge, and other sources, many plants were considered from which exemplary plants were selected to be representative of the raw materials used and the product mix variations in the industry.

(9) The inclusion of NPK plants in only two states, Alabama and Illinois, was objected to as being narrow in scope. The commenter felt that this precluded consideration of the many variations practiced in other states.

Selection of exemplary plants was a necessary part of the study. The two states selected have a high density of plants in this industry and represent two different geographical areas. The contractor is familiar with many plants in the industry. From this knowledge it was determined that plants in Alabama and Illinois are representative of plants in the entire industry.

(10) One commenter stated that the scrubbing system depicted for mixed fertilizer plants is not representative of the majority of plants. Scrubber systems for mixed fertilizers include ammoniator offgases in addition to the dryer and cooler offgases, in some cases as separate equipment.

The process diagram for mixed fertilizer in the development document has been modified in response to this comment. Plants may be built with a single scrubber or more than one scrubber. The use of a different scrubber configuration does not affect the validity of the guidelines.

(11) A commenter questioned the air emission collection and abatement system shown for blend fertilizer plants. Some plants have bag collection systems on point sources, but not systems designed to collect all emissions from the total plant.

Bag collectors for dust emission control may be a single unit for the whole plant or several units at the points where dusting occurs. The specific method of installing bag collectors is irrelevant to the guidelines.

(12) It was recommended that the cost of electric energy should be 15 to 20 mills per KWH instead of the 10 mill rate.

Electric power costs have risen since 1973. However, energy and power costs are approximately 18.9 percent of total annual pollution control costs. Since annual pollution control costs as a percent of sales for mixed fertilizer plants ranged between 0.59 percent to 1.59 percent, the increase in electric power costs should not have a measurable effect on the economic impact analysis.

(13) One commenter noted that estimated costs for mixed fertilizer appeared to be too high. It was also noted that the cost estimated for a blend fertilizer plant air pollution control system may impose an excessive burden on small plants.

For mixed fertilizer, if the cost estimate is high, as alleged, the actual economic impact on the industry would be less and thus the economic impact is conservative. Costs for blend plant air pollution control are not required under this regulation but may be required by future air regulations.

(14) Questions have been raised concerning the availability of standards or guidelines applicable to the disposal of solid wastes resulting from the operation of pollution control systems.

The principles set forth in "Land Disposal of Solid Wastes Guidelines" (40 CFR 241) may be used as guidance for acceptable land disposal techniques. Potentially hazardous wastes may require special considerations to ensure their proper disposal. Additionally, state and local guidelines and regulations should be considered wherever applicable.

(B) REVISION OF THE PROPOSED REGULATIONS PRIOR TO PROMULGATION

As a result of public comments and continuing review and evaluation of the proposed regulation by the EPA, the following change has been made in the regulation. An addition was made to paragraph 418.60 to exclude applicability of the regulation to ammonium sulfate produced as a by-product of caprolactam production.

(C) ECONOMIC IMPACT

No adverse economic impacts are expected due to BPT, BAT, or NSPS regulations. The annual costs as a percentage of sales are negligible for all segments; and the capital investment necessary to meet the guidelines is not significant, except in the mixed fertilizer subcategory. However, only about 130 of the 362 mixed plants will need to make expenditures to comply with BPT standards. It is estimated that 97 of these 130 plants will close as the result of economic reasons unrelated to pollution control. Thus, actual expenditures for BPT should not be large.

The analysis of blend plants has assumed that no treatment is required. On the other hand, 1 to 4 plants may have wet scrubbers due to state or local air pollution regulations. Such plants would have to make substantial investments in order to meet BPT guidelines.

Price increases are anticipated exclusively in the mixed fertilizer sector. The majority of such plants will be able to maintain current levels of profitability with price boosts in the range of 1.0 to 1.5 percent. A few small plants may need slightly larger price increases (in the range of 2.5 to 3.0 percent); but most of these low tonnage producers are located in protected markets and should be able to raise prices by the required amounts.

Effluent limitations are not expected to cause any production curtailments, unemployment, community effects, or balance of trade effects either in 1977 or 1983. However, pollution control regulations may influence the timing of closure decisions for mixed fertilizer plants.

NSPS should not have any impact on industry growth. In fact, no new capacity additions are anticipated in the ammonium sulfate or mixed fertilizer subcategories even without pollution controls. Construction of such plants is unlikely due to competition from direct

application materials and low cost substitutes.

(D) COST-BENEFIT ANALYSIS

The detrimental effects of the constituents of waste waters now discharged by point sources within the formulated fertilizer segment of the fertilizer manufacturing point source category are discussed in Section VI of the report entitled "Development Document for Effluent Limitations Guidelines for the Formulated Fertilizer Segment of the Fertilizer Manufacturing Point Source Category" (November 1974). It is not feasible to quantify in economic terms, particularly on a national basis, the costs resulting from the discharge of these pollutants to our Nation's waterways. Nevertheless, as indicated in Section VI, the pollutants discharged have substantial and damaging impacts on the quality of water and therefore on its capacity to support healthy populations of wildlife, fish and other aquatic wildlife and on its suitability for industrial, recreational and drinking water supply uses.

The total cost of implementing the effluent limitations guidelines includes the direct capital and operating costs of the pollution control technology employed to achieve compliance and the indirect economic and environmental costs identified in Section VIII and in the supplementary report entitled "Economic Analysis of Proposed Effluent Guidelines for the Fertilizer Manufacturing Industry (Phase II)" (September 1974). Implementing the effluent limitations guidelines will substantially reduce the environmental harm which would otherwise be attributable to the continued discharge of polluted waste waters from existing and newly constructed plants in the fertilizer industry. The Agency believes that the benefits of thus reducing the pollutants discharged justify the associated costs which, though substantial in absolute terms, represent a relatively small percentage of the total capital investment in the industry.

(e) PUBLICATION OF INFORMATION ON PROCESSES, PROCEDURES, OR OPERATING METHODS WHICH RESULT IN THE ELIMINATION OR REDUCTION OF THE DISCHARGE OF POLLUTANTS

In conformance with the requirements of Section 304(c) of the Act, a manual entitled, "Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Formulated Fertilizer Segment of the Fertilizer Manufacturing Point Source Category," has been published and will be available for purchase from the Government Printing Office, Washington, D.C. 20402 for a nominal fee.

(f) FINAL RULEMAKING

In consideration of the foregoing, 40 CFR Chapter I, Subchapter N, Part 418 Fertilizer Manufacturing Point Source Category, is hereby amended by adding additional subparts F and G to read as set forth below. This regulation is being

promulgated pursuant to an order of the Federal District Court for the District of Columbia entered in *Natural Resources Defense Council, Inc. v. Train* (Cv. No. 1609-73). That order requires that effluent limitations requiring the application of best practicable control technology currently available for this industry be effective upon publication. Accordingly, good cause is found for the final regulation promulgated below establishing best practicable control technology currently available for each subpart to be effective on January 14, 1975.

The final regulation promulgated below establishing the best available technology economically achievable, the standards of performance for new sources and the new source pretreatment standards shall become effective on February 13, 1975.

Dated: January 7, 1975.

JOHN QUARLES,
Acting Administrator.

Subpart F—Ammonium Sulfate Production Subcategory

- Sec.
- 418.60 Applicability; description of the ammonium sulfate production subcategory.
- 418.61 Specialized definitions.
- 418.62 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
- 418.63 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
- 418.64 [Reserved]
- 418.65 Standards of performance for new sources.
- 418.66 Pretreatment standards for new sources.

Subpart G—Mixed and Blend Fertilizer Production Subcategory

- 418.70 Applicability; description of the mixed and blend fertilizer production subcategory.
- 418.71 Specialized definitions.
- 418.72 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
- 418.73 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
- 418.74 [Reserved]
- 418.75 Standards of performance for new sources.
- 418.76 Pretreatment standards for new sources.

AUTHORITY: Secs. 301, 304(b) and (c), 306 (b) and (c), 307(c), Federal Water Pollution Control Act, as amended; 33 U.S.C. 1251, 1311, 1314(b) and (c), 1316(b) and (c), 1317(c); 86 Stat. 816 et seq.; Pub. L. 92-500.

Subpart F—Ammonium Sulfate Production Subcategory

- § 418.60 Applicability; description of the ammonium sulfate production subcategory.

The provisions of this subpart apply to discharges resulting from the production

of ammonium sulfate by the synthetic process and by coke oven by-product recovery. The provisions of this subpart do not apply to ammonium sulfate produced as a by-product of caprolactam production.

§ 418.61 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in Part 401 shall apply to this subpart.

§ 418.62 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategory and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available: There shall be no discharge of process waste water pollutants to navigable waters.

§ 418.63 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable: There shall be no discharge of process waste water pollutants to navigable waters.

§ 418.64 [Reserved]

§ 418.65 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart: There shall be no discharge of process waste water pollutants to navigable waters.

§ 418.66 Pretreatment standard for new sources.

The pretreatment standard under section 307(c) of the Act for a new source within the ammonium sulfate subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR 128 (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the same standard as set forth in 40 CFR 128, for existing sources, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a new source subject to the provisions of this subpart:

Pollutant or pollutant property	Pretreatment standard
BOD ₅	No limitation.
TSS	Do.
pH	Do.
Ammonia (as N)	30 mg/l.

Subpart G—Mixed and Blend Fertilizer Production Subcategory

- § 418.70 Applicability; description of the mixed and blend fertilizer production subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of mixed fertilizer and blend fertilizer.

§ 418.71 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR Part 401 shall apply to this subpart.

(b) The term "mixed fertilizer" shall mean a mixture of wet and/or dry

straight fertilizer materials, mixed fertilizer materials, fillers and additives prepared through chemical reaction to a given formulation.

(c) The term "blend fertilizer" shall mean a mixture of dry, straight and mixed fertilizer materials.

§ 418.72 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment of facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those

specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations. The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available: There shall be no discharge of process waste water pollutants to navigable waters.

§ 418.73 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable: There shall be no discharge of process waste water pollutants to navigable waters.

§ 418.74 [Reserved]

§ 418.75 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart: There shall be no discharge of process waste water pollutants to navigable waters.

§ 418.76 Pretreatment standard for new sources.

The pretreatment standard under section 307(c) of the Act for a new source within the mixed and blend fertilizer subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR Part 128 (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the same standard as set forth in 40 CFR Part 128, for existing sources, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a new source subject to the provisions of this subpart:

Pollutant or pollutant property	Pretreatment standard
BOD5	No limitation.
TSS	Do.
pH	Do.
Ammonia (as N)	30 mg/l
Nitrate (as N)	Do.
Total phosphorus (as P)	35 mg/l

[FR Doc.75-1069 Filed 1-13-75;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 418]

[FRL 320-2]

FERTILIZER MANUFACTURING POINT SOURCE CATEGORY

Proposed Pretreatment Standards for Existing Sources

Notice is hereby given pursuant to section 307(b) of the Federal Water Pollution Control Act, as amended (the Act); 33 U.S.C. 1251; 1317(b); 86 Stat. 816 et seq.; Pub. L. 92-500, that the proposed regulation set forth below proposes pretreatment standards for pollutants introduced into publicly owned treatment works. The proposal will amend 40 CFR Part 418, Fertilizer Manufacturing Point Source Category, establishing for each subcategory therein the extent of application of effluent limitations guidelines to existing sources which discharge to publicly owned treatment works. The regulation is intended to be complementary to the general regulation for pretreatment standards set forth at 40 CFR Part 128. The general regulation was proposed July 19, 1973 (38 FR 19236), and published in final form on November 8, 1973 (38 FR 30982).

The proposed regulation is also intended to supplement a final regulation being simultaneously promulgated by the Environmental Protection Agency (EPA or Agency) which provides effluent limitations and guidelines for existing sources and standards of performance and pretreatment standards for new sources within the ammonium sulfate subcategory and the mixed and blend fertilizer subcategory of the fertilizer manufacturing point source category. The latter regulation applies to the portion of a discharge which is directed to the navigable waters. The regulation proposed below applies to users of publicly owned treatment works which fall within the description of the point source category to which the limitations and standards (40 CFR Part 418) promulgated simultaneously apply. However, the proposed regulation applies to the introduction of pollutants which are directed into a publicly owned treatment works, rather than to discharges of pollutants to navigable waters.

The general pretreatment standard divides pollutants discharged by users of publicly owned treatment works into two broad categories; "compatible" and "incompatible." Compatible pollutants are generally not subject to pretreatment standards. However, 40 CFR 128.131 (prohibited wastes) may be applicable to compatible pollutants. Additionally, local pretreatment requirements may apply (See 40 CFR 128.110). Incompatible pollutants are subject generally to pretreatment standards as provided in 40 CFR 128.133.

The regulation proposed below is intended to implement that portion of § 128.133 above, requiring that a separate provision be made stating the application to pretreatment standards of effluent limitations guidelines based upon

best practicable control technology currently available.

Questions were raised during the public comment period on the proposed general pretreatment standard (40 CFR Part 128) about the propriety of applying a standard based upon best practicable control technology currently available to all plants subject to pretreatment standards. In general, EPA believes the analysis supporting the effluent limitations guidelines is adequate to make a determination regarding the application of those standards to users of publicly owned treatment works. However, to ensure that those standards are appropriate in all cases, EPA now seeks additional comments focusing upon the application of effluent limitations guidelines to users of publicly owned treatment works.

Section 418.65 and § 418.75 of the proposed regulation for point sources within the ammonium sulfate subcategory and the mixed and blend fertilizer subcategory (October 7, 1973; 38 FR 36099), contained the proposed pretreatment standard for new sources. The regulation promulgated simultaneously herewith contains §§ 418.66 and 418.76 which states the applicability of standards of performance for purposes of pretreatment standard for new sources.

A preliminary Development Document was made available to the public at approximately the time of publication of the notice of proposed rulemaking and the final Development Document entitled "Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Formulated Fertilizer Segment of the Fertilizer Manufacturing Point Source Category" is now being published. The economic analysis report entitled "Economic Analysis of Proposed Effluent Guidelines, for the Fertilizer Manufacturing Industry (Phase II) (September 1974)", was made available at the time of proposal. Copies of the final Development Document and economic analysis report will continue to be maintained for inspection and copying during the comment period at the EPA Information Center, Room 227, West Tower, Waterside Mall, 401 M Street, S.W., Washington, D.C. Copies will also be available for inspection at EPA regional offices and at State water pollution control agency offices. Copies of the Development Document may be purchased from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402. Copies of the economic analysis report will be available for purchase through the National Technical Information Service, Springfield, Virginia 22151.

The Development Document referred to above contains information available to the Agency concerning the major environmental effects of the regulation proposed below. The information includes: (1) the identification of pollutants present in waste waters resulting from the manufacture of fertilizer, the characteristics of these pollutants, and the degree of pollutant reduction obtainable through implementation of the

proposed standard; and (2) the anticipated effects on other aspects of the environment (including air, subsurface waters, solid waste disposal and land use, and noise) of the treatment technologies available to meet the standard proposed.

The Development Document and the economic analysis report referred to above also contain information available to the Agency regarding the estimated cost and energy consumption implications of those treatment technologies and the potential effects of those costs on the price and production of fertilizer. To the extent possible, significant aspects of the material have been presented in summary form in the preamble to the proposed regulation containing effluent limitations guidelines, new source performance standards and pretreatment standards for new sources within the fertilizer manufacturing category (39 FR 36094; October 7, 1974). Additional discussion is contained in the analysis of public comments on the proposed regulation and the Agency's response to those comments. This discussion appears in the preamble to the promulgated regulation (40 CFR Part 418) which appears as the first document of this Part II.

The options available to the Agency in establishing the level of pollutant reduction obtainable through the best practicable control technology currently available, and the reasons for the particular level of reduction selected are discussed in the documents described above. In applying the effluent limitations guidelines to pretreatment standards for the introduction of incompatible pollutants into municipal systems by existing sources in the ammonium sulfate subcategory and the mixed and blend fertilizer subcategory, the Agency has, essentially three options. The first is to allow unrestricted discharge to publicly owned treatment works of materials known to be adequately treated in such works (commonly classed as compatible pollutants). The second is to require the application of BPT based (1977) limitations to those pollutants which interfere with, pass through or otherwise are incompatible with such works. The third is to establish a different discharge limitation for those pollutants which are treated to a known degree in publicly owned treatment works but such treatment is relatively inadequate.

Interested persons may participate in this rulemaking by submitting written comments in triplicate to the EPA Information Center, Environmental Protection Agency, Washington, D.C. 20460, Attention: Mr. Philip B. Wisman. Comments on all aspects of the proposed regulations are solicited. In the event comments are in the nature of criticisms as to the adequacy of data which are available, or which may be relied upon by the Agency, comments should identify and, if possible, provide any additional data which may be available and should indicate why such data are essential to the development of the regulations. In the event comments address the approach taken by the Agency in establishing pretreatment standards for existing

sources, EPA solicits suggestions as to what alternative approach should be taken and why and how this alternative better satisfies the detailed requirements of sections 301, 304 and 307(b) of the Act.

A copy of all public comments will be available for inspection and copying at the EPA Information Center, Room 227, West Tower, Waterside Mall, 401 M Street, SW., Washington, D.C. 20460. The EPA information regulation, 40 CFR Part 2, provides that a reasonable fee may be charged for copying.

In consideration of the foregoing, it is hereby proposed that 40 CFR Part 418 be amended to add §§ 418.64 and 418.74 as set forth below. All comments received on or before February 13, 1975 will be considered.

Dated: January 7, 1975.

JOHN QUARLES,
Acting Administrator.

40 CFR Part 418 is proposed to be amended as follows:

Subpart F is amended by adding § 418.64 as follows:

§ 418.64 Pretreatment standards for existing sources.

The pretreatment standards under section 307(b) of the Act for a source within

the ammonium sulfate production subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR Part 128 (and which would be an existing point source subject to section 301 of the Act, if it were to discharge pollutants to the navigable waters), consistent with the requirements in 40 CFR 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a point source subject to the provisions of this subpart.

Pollutant or pollutant property	Pretreatment standard
pH	No limitation.
BOD ₅	Do.
TSS	Do.
Ammonia (as N)	30 mg/l.

Subpart G is amended by adding § 418.74 as follows:

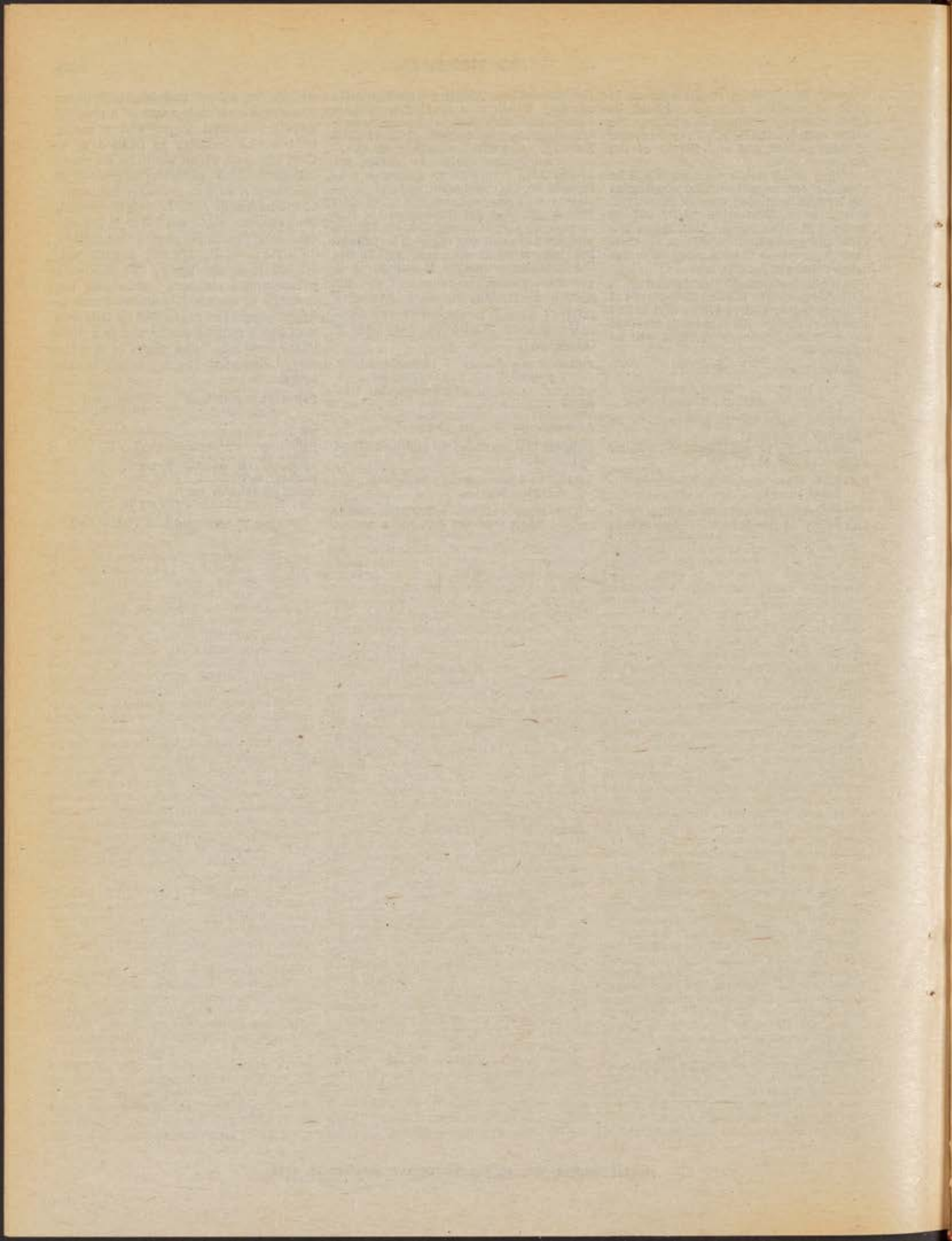
§ 418.74 Pretreatment Standards for Existing Sources.

The pretreatment standards under section 307(b) of the Act for a source

within the mixed and blend fertilizer subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR 128 (and which would be an existing point source subject to section 301 of the Act, if it were to discharge pollutants to the navigable waters), consistent with the requirements in 40 CFR Part 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a point source subject to the provisions of this subpart.

Pollutant or pollutant property	Pretreatment standard
pH	No limitation.
BOD ₅	Do.
TSS	Do.
Ammonia (as N)	30 mg/l.
Nitrate (as N)	Do.
Total phosphorus (as P)	35 mg/l.

[FR Doc.75-1070 Filed 1-13-75;8:45 am]



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PART III



THE PRESIDENT



NOTICE OF
INTERNATIONAL TRADE
NEGOTIATIONS AND
OF ARTICLES WHICH
MAY BE AFFECTED BY
SUCH NEGOTIATIONS

THE PRESIDENT

NOTICE OF
INTERNATIONAL TRADE
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SUCH NEGOTIATIONS

Title 3--The President

Notice of International
Trade Negotiations and of Articles
which may be Affected by
such Negotiations

In conformity with section 131 of the Trade Act of 1974, P.L. 93-618, 88 Stat. 1978, notice is hereby given of the United States intention to participate in international trade agreement negotiations, and of articles which will, during such negotiations, be considered for modification or continuance of United States duties, continuance of United States duty-free or excise treatment, or additional duties, under the authority contained in section 101 of Title I of the Trade Act.

I. Trade Negotiations

It is intended that the authority conferred by section 101 of the Trade Act will be employed in multilateral trade negotiations held under the auspices of the General Agreement on Tariffs and Trade (GATT). That authority also may be employed to conclude other trade agreements, such as bilateral trade agreements and trade agreements with developing countries as provided in sections 105 and 106 of the Trade Act, respectively.

II. Lists of Articles Which May be Considered in Trade Negotiations

A. Every article provided for in the Tariff Schedules of the United States (TSUS) (19 U.S.C. 1202) 1/ will be considered for modification or continuance of the existing 2/ United States duties, continuance of existing United States duty-free or excise treatment, or additional duties, as appropriate, to the extent permitted by sections 101(a), 101(b), 101(c), and

1/ "Tariff Schedules of the United States" or "Tariff Schedules of the United States Annotated (1975)", for sale by the Superintendent of Documents, Government Printing Office, Washington, D. C. 20402; also available for inspection at any field office of the U. S. Customs Service or the Department of Commerce.

2/ The term "existing" is used herein as defined in section 601(7) of the Trade Act: "The term 'existing' means (A) when used, without the specification of any date, with respect to any matter relating to entering into or carrying out a trade agreement or other action authorized by this Act, existing on the day on which such trade agreement is entered into or such other action is taken; and (B) when used with respect to a rate of duty (however established, and even though temporarily suspended by Act of Congress or otherwise) set forth in rate column numbered 1 of the schedules 1 through 7 of the Tariff Schedules of the United States on the date specified or (if no date is specified) on the day referred to in clause (A)."

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109 of the Trade Act; provided that,

(1) The ceramic articles and radial ball bearings, which are provided for temporarily in items 923.01 to 923.15, inclusive, and in items 923.80, 923.82, and 923.84, respectively, of part 2, subpart A, of the Appendix to the TSUS, and which are hereby determined to be articles currently meeting the criteria of section 127(b) of the Trade Act, will not be considered for reduction or elimination of any duty.

(2) The articles included in the following TSUS items, to the extent indicated, are hereby determined to be articles meeting the national security criteria of section 127(b) of the Trade Act, and therefore, will not be considered for reduction or elimination of any duty:

TSUS ITEM

475.05)
)
 475.10)
)
 475.25)
)
 475.30) All Articles
)
 475.35)
)
 475.40)
)
 475.45)
)
 475.65)

TSUS ITEM

429.52 Only those hydrocarbons that are derived in whole or in part from petroleum, shale oil, or natural gas (except isoprene having a purity of 95 percent or more by weight).
 430.00) Only those mixtures that
 432.00) are in whole or in part
 494.30) of hydrocarbons derived in whole or in part from petroleum, shale oil, or natural gas.

B.(1) The following dutiable articles, as to which I hereby determine that the rate of duty which will exist on January 1, 1975, is not more than 5 percent ad valorem (or ad valorem equivalent, as determined in accordance with section 601(4) of the Trade Act), will be considered for continuance, elimination, or reduction of the United States duties existing on January 1, 1975, pursuant to the authority vested in me by sections 101(a) and 101(b) of the Trade Act.

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TSUS ITEM	TSUS ITEM	TSUS ITEM	TSUS ITEM
100.07	111.56	125.70	131.70
100.09	111.76	126.01	131.72
100.25	111.84	126.07	131.75
100.30	111.88	126.09	132.15
100.31	111.92	126.11	132.20
100.40	112.03	126.19	132.55
100.50	112.08	126.23	135.60
100.53	112.12	126.27	135.70
100.55	112.20	126.29	136.10
100.65	112.24	126.31	136.30
100.73	113.01	126.33	136.50
100.75	113.15	126.35	136.60
100.85	113.35	126.41	136.70
100.95	113.40	126.55	136.90
105.10	113.56	126.57	136.98
105.30	114.01	126.59	136.99
105.60	114.34	126.61	140.09
105.82	114.55	126.63	140.10
106.10	115.05	126.65	140.11
106.20	115.10	126.67	140.16
106.30	115.40	126.71	140.25
106.40	115.45	126.77	140.35
106.55	115.50	126.81	140.38
106.60	118.05	126.83	140.45
106.80	119.50	126.89	140.46
106.85	120.17	126.93	140.50
107.10	121.15	127.10	140.70
107.15	121.20	130.10	141.10
107.25	121.35	130.20	141.35
107.30	121.40	130.30	141.55
107.35	121.52	130.40	145.02
107.70	121.57	130.45	145.08
107.75	124.25	130.50	145.24
107.80	124.30	130.55	145.26
110.28	124.40	130.60	145.30
110.35	124.65	130.65	145.52
110.50	125.01	130.70	145.53
110.55	125.05	131.10	145.58
110.65	125.10	131.27	146.12
111.10	125.15	131.33	146.14
111.15	125.20	131.35	146.20
111.18	125.50	131.38	146.22
111.44	125.60	131.40	146.42
111.48	125.65	131.57	146.50
111.52	125.67	131.65	146.56

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TSUS ITEM	TSUS ITEM	TSUS ITEM	TSUS ITEM
146.58	155.20	176.33	192.75
146.60	155.30	176.42	192.85
146.66	155.35	176.46	200.06
146.68	155.40	176.49	200.45
146.70	155.70	176.50	200.91
146.90	156.25	176.54	202.38
146.91	156.30	176.70	202.40
147.02	156.35	177.04	202.54
147.13	156.40	177.16	202.56
147.19	156.45	177.20	202.62
147.21	156.47	177.22	204.10
147.29	160.40	177.30	206.50
147.30	161.15	177.32	206.52
147.50	161.19	177.34	220.10
147.60	161.23	177.36	220.15
147.61	161.31	177.56	220.25
147.64	161.37	177.69	220.31
147.66	161.41	178.25	220.38
147.68	161.43	182.05	220.45
147.70	161.59	182.20	222.10
147.85	161.61	182.30	222.25
148.70	161.65	182.32	222.34
148.72	161.79	182.35	222.36
148.74	161.88	182.36	222.55
148.81	161.94	182.40	222.62
148.82	161.96	182.58	222.64
148.83	165.25	182.70	240.00
148.98	165.55	184.50	240.03
149.19	166.10	184.54	240.06
149.20	166.20	184.65	251.10
149.21	166.30	186.10	251.25
149.24	166.40	186.30	251.30
149.26	167.05	186.40	251.45
152.14	167.50	186.50	251.49
152.18	175.03	188.20	252.05
152.26	175.15	188.30	252.10
153.00	175.18	188.50	252.17
153.04	175.21	190.10	252.45
153.08	175.36	190.57	252.63
153.24	175.48	190.85	252.67
154.10	175.49	190.90	252.70
154.25	175.51	191.15	252.79
154.35	176.02	192.07	252.81
155.10	176.04	192.15	252.86
155.15	176.30	192.55	253.05

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TSUS ITEM	TSUS ITEM	TSUS ITEM	TSUS ITEM
253.20	301.01	335.90	418.24
253.25	301.02	356.10	418.28
253.30	301.03	356.80	418.32
253.45	301.04	363.35	418.52
254.05	301.05	366.36	418.60
254.18	301.06	366.48	418.62
254.30	301.07	366.54	418.76
254.35	301.08	366.81	418.80
254.42	301.09	370.72	418.94
254.44	301.10	380.48	419.02
254.58	301.11	385.45	419.10
254.63	304.04	385.50	419.20
254.65	304.10	390.12	419.22
254.75	304.12	390.30	419.24
254.80	304.14	390.50	419.32
254.95	304.16	403.06	419.38
256.05	304.20	415.05	419.40
256.13	304.22	415.20	419.42
256.15	304.24	415.27	419.70
256.48	304.26	415.35	419.74
256.58	304.34	415.40	419.76
256.65	304.36	415.50	419.84
256.70	304.40	416.10	419.90
256.75	304.44	416.30	420.00
256.80	304.52	417.10	420.02
270.45	304.58	417.14	420.04
270.50	305.04	417.16	420.08
273.50	305.12	417.18	420.14
273.55	306.14	417.20	420.16
273.75	306.42	417.24	420.18
273.95	306.52	417.30	420.26
274.00	306.53	417.34	420.30
274.10	306.61	417.36	420.36
274.15	306.83	417.38	420.40
274.23	307.04	417.44	420.54
274.27	307.08	417.50	420.60
274.60	307.18	417.64	420.68
274.65	309.41	417.74	420.70
274.70	309.66	417.76	420.78
274.75	312.10	417.78	420.84
274.80	315.50	417.80	420.86
274.85	315.55	417.90	420.88
300.15	315.60	417.92	420.92
300.20	316.30	418.14	420.94
300.45	335.80	418.18	420.98

TSUS ITEM	TSUS ITEM	TSUS ITEM	TSUS ITEM
421.04	426.12	428.68	446.12
421.08	426.18	428.72	446.15
421.16	426.36	428.82	446.30
421.18	426.46	428.90	452.24
421.22	426.52	428.92	452.48
421.34	426.58	429.12	452.58
421.44	426.62	429.22	452.80
421.46	426.64	429.26	455.04
421.52	426.72	429.30	455.36
421.54	426.76	429.32	455.44
421.62	426.82	429.34	460.10
421.84	426.84	429.48	461.20
421.86	426.86	429.52 pt 1/	465.25
421.90	426.92	429.60	465.35
422.00	427.04	429.95	465.45
422.72	427.06	435.10	465.55
422.76	427.08	435.70	465.90
422.78	427.12	437.00	465.92
422.80	427.25	437.12	465.95
422.82	427.28	437.13	466.05
422.90	427.30	437.18	466.30
423.00	427.45	437.20	470.15
423.88	427.53	437.22	470.55
423.96	427.60	437.24	470.57
425.06	427.62	437.30	470.85
425.08	427.64	437.32	472.14
425.09	427.72	437.40	472.22
425.10	427.74	437.49	472.24
425.20	427.84	437.50	472.40
425.22	427.88	437.52	472.42
425.24	427.98	437.57	472.44
425.26	428.12	437.58	472.48
425.32	428.32	437.60	473.02
425.36	428.36	437.64	473.06
425.41	428.38	437.65	473.10
425.42	428.40	437.68	473.12
425.70	428.42	437.69	473.14
425.72	428.44	437.82	473.16
425.76	428.50	437.84	473.18
425.78	428.52	437.86	473.19
425.84	428.54	438.01	473.20
425.88	428.58	439.30	473.30
425.94	428.62	439.50	473.32
426.08	428.64	445.40	473.36
426.10	428.66	446.10	473.38

1/ That part of Item 429.52 which is not excluded by paragraph IIA(2) of this notice from consideration for reduction or elimination of the duty.

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TSUS ITEM	TSUS ITEM	TSUS ITEM	TSUS ITEM
473.46	512.35	521.71	607.18
473.52	512.41	521.74	607.21
473.54	513.11	521.84	607.30
473.60	513.21	522.21	607.31
473.66	513.31	522.41	607.35
473.72	513.36	522.61	607.36
473.76	513.41	522.71	607.37
473.78	513.51	523.31	607.51
473.80	514.11	523.35	607.52
473.82	514.21	523.51	607.53
473.84	514.34	531.01	607.60
473.88	514.51	531.24	607.80
474.20	514.54	531.35	608.04
474.22	514.57	532.14	608.05
474.26	514.61	533.11	608.06
474.30	514.65	534.11	608.10
474.40	515.14	534.31	608.30
474.42	515.21	534.76	608.32
474.44	515.51	540.14	608.71
474.46	516.11	540.61	608.73
474.50	517.11	541.11	608.75
474.60	517.24	541.21	609.41
474.62	517.27	541.31	609.80
485.10	517.81	542.11	609.82
490.24	518.21	542.13	609.96
490.26	518.41	542.57	609.98
490.48	518.44	542.71	610.20
490.50	518.51	542.73	610.21
490.73	519.14	542.92	610.25
490.75	519.31	543.11	610.30
490.92	519.37	543.21	610.31
490.94	519.51	543.61	610.32
493.10	519.86	545.11	610.37
493.16	519.91	545.21	610.39
493.20	519.95	545.25	610.40
493.21	520.32	545.27	610.65
493.22	520.33	547.31	612.02
493.47	520.35	547.51	612.03
493.82	520.37	601.27	612.06
494.40	520.39	602.30	612.10
494.52	520.71	603.10	612.15
494.60	521.41	603.15	612.31
495.15	521.51	603.30	612.39
511.11	521.54	603.55	612.44
512.24	521.61	607.12	612.55

TSUS ITEM	TSUS ITEM	TSUS ITEM	TSUS ITEM
612.60	632.34	646.74	653.15
612.62	632.38	647.01	653.30
612.64	632.42	648.53	653.35
612.81	632.43	648.61	653.85
613.02	632.46	648.69	653.90
613.10	632.48	649.01	653.97
613.11	632.50	649.03	654.00
618.01	632.58	649.05	654.15
618.02	632.60	649.07	657.10
618.04	632.78	649.11	660.20
618.06	640.10	649.14	660.25
618.10	640.30	649.17	660.35
618.15	642.16	649.19	660.42
618.25	642.35	649.21	660.44
618.27	642.60	649.24	660.46
618.40	642.72	649.25	660.52
618.45	642.93	649.29	660.54
620.10	642.96	649.31	660.85
620.20	644.02	649.33	660.92
620.30	644.36	649.37	660.94
620.40	644.38	649.39	661.09
620.42	644.40	649.41	661.12
620.50	644.42	649.49	661.15
624.03	644.46	649.67	661.25
624.22	644.48	650.73	661.35
624.30	644.56	650.77	661.45
624.50	644.72	651.23	661.55
626.02	644.76	651.25	661.85
626.10	644.88	651.45	661.92
626.17	644.92	651.49	662.10
626.18	644.98	652.06	662.18
626.40	646.02	652.21	662.26
628.15	646.06	652.24	662.50
628.25	646.20	652.27	664.05
628.35	646.25	652.30	664.10
628.45	646.26	652.33	668.00
628.59	646.27	652.41	668.02
628.90	646.28	652.84	668.06
629.05	646.30	652.86	668.07
632.02	646.32	652.93	668.10
632.04	646.40	652.94	668.36
632.06	646.45	653.02	668.38
632.12	646.54	653.05	670.02
632.18	646.56	653.07	670.23
632.24	646.58	653.10	670.52

TSUS ITEM	TSUS ITEM	TSUS ITEM	TSUS ITEM
672.10	692.20	723.32	760.52
672.15	692.22	723.35	760.54
672.25	692.27	724.10	760.65
674.10	692.40	724.25	771.20
674.42	692.45	724.40	771.25
674.55	692.50	725.10	771.35
674.70	694.15	725.30	771.40
674.75	694.20	725.34	771.50
674.90	694.40	725.38	772.40
676.12	694.50	726.62	772.45
676.20	694.60	727.06	772.48
676.22	696.05	727.35	772.51
676.30	696.10	728.15	772.54
678.20	696.30	728.20	772.60
678.32	696.50	730.73	772.65
678.50	700.20	730.81	773.15
680.27	700.26	730.86	773.25
680.45	700.27	732.50	773.30
680.52	700.29	734.70	774.40
680.60	700.30	734.71	790.23
680.70	700.32	734.80	790.40
682.40	702.20	734.88	791.20
682.52	703.80	734.90	791.25
683.60	703.85	734.93	791.30
683.65	703.90	734.95	791.35
683.90	705.84	735.15	791.45
683.95	705.90	735.17	791.50
684.30	709.11	735.18	791.57
684.40	709.45	741.06	791.90
685.20	709.54	741.15	792.32
685.70	709.61	741.35	792.40
686.22	709.63	745.08	799.00
686.40	710.46	748.25	
686.50	711.47	748.34	
686.60	711.60	750.60	
686.80	711.98	755.05	
686.90	720.60	755.10	
687.10	722.75	755.40	
687.30	722.83	755.45	
688.12	722.94	755.50	
690.20	722.96	756.30	
690.25	723.05	756.60	
692.04	723.10	760.32	
692.10	723.15	760.45	
692.16	723.30	760.50	

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(2) All dutiable articles not listed in paragraphs IIA(1), A(2) and B(1) of this notice will be considered for continuance or reduction of the duties existing on January 1, 1975, pursuant to the authority vested in me by sections 101(a) and 101(b)(1) of the Trade Act.

(3) All articles having duty-free status existing on January 1, 1975, will be considered for continuance of their United States duty-free or excise treatment, pursuant to section 101(a) of the Trade Act.

C. Articles included in this notice may be reserved from negotiations or may be subject to smaller tariff reductions than those authorized by sections 101 and 109 of the Trade Act.

III. Supplemental Notices

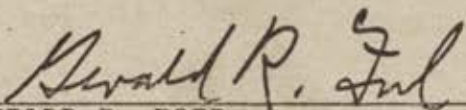
From time to time as may be appropriate, other notices may be published for the purpose of informing the public of proposed actions under the Trade Act not announced in this notice.

IV. Public Hearings

Section 133 of the Trade Act requires that the President afford an opportunity for any interested person to present his views concerning any United States or foreign tariff concession, modification or continuance which should be offered or sought by the United States, any nontariff barrier to trade or any other matter relevant to proposed trade agreements. The time and place of these hearings, to be held by the Office of the Special Representative for Trade Negotiations through an interagency committee designated for that purpose, in accordance with section 133 of the Trade Act, will be announced in the near future.

V. Advice of the International Trade Commission

In accordance with section 131 of the Trade Act the International Trade Commission is being furnished on the day of publication of this notice with the lists of articles published in paragraph IIB of this notice for the purpose of securing from the Commission within six months its judgment as to the probable economic effect of continuance, reductions, or eliminations of United States duties, or continuance of United States duty-free or excise treatment, on United States industries producing like or directly competitive articles and on consumers.


GERALD R. FORD
President of the United States

[FR Doc.75-1094 Filed 1-9-75; 10:05 am]

federal register

TUESDAY, JANUARY 14, 1975

WASHINGTON, D.C.

Volume 40 ■ Number 9

PART IV



GENERAL SERVICES ADMINISTRATION

■

**PRESERVATION AND
PROTECTION OF AND
ACCESS TO THE
PRESIDENTIAL
HISTORICAL MATERIALS
OF THE NIXON
ADMINISTRATION**

Title 41—Public Contracts and Property Management

CHAPTER 105—GENERAL SERVICES ADMINISTRATION

PART 105-63—PRESERVATION AND PROTECTION OF AND ACCESS TO THE PRESIDENTIAL HISTORICAL MATERIALS OF THE NIXON ADMINISTRATION

These regulations are issued pursuant to and in anticipation of the implementation by the Administrator of General Services of Title I of the Presidential Recordings and Materials Preservation Act. Under the Act, the Administrator assumes custody and control of the Presidential historical materials of the Nixon Administration for the purposes of (1) ensuring their physical protection and preservation and (2) providing for Federal and public access. Because outstanding Federal court orders prevent the immediate implementation of the Act, and the effective date of these regulations is postponed accordingly, the General Services Administration invites comments and suggestions. These comments and suggestions should be addressed to the General Services Administration (A), Attention of: Executive Assistant to the Administrator, Washington, DC 20405. Regulations pertaining to public access, which are required under the Act to be submitted for congressional approval, will be published at a later date.

Chapter 105 is amended by the addition of new Part 105-63, as follows:

Sec.

105-63.000 Scope of part.

Subpart 105-63.1—General Provisions

- 105-63.101 Purpose.
- 105-63.102 Application.
- 105-63.103 Legal custody.
- 105-63.104 Definitions. [Reserved]
- 105-63.105 Requests or demands for access.

Subpart 105-63.2—Preservation and Protection

- 105-63.201 Responsibility.
- 105-63.202 Security.
- 105-63.203 Security areas.
- 105-63.204 Work areas.
- 105-63.205 Archival processing.
- 105-63.206 Access procedures.
- 105-63.207 Extraordinary authority during emergencies.

Subpart 105-63.3—Access to Materials by Former President Nixon, Federal Agencies, and for Use in Any Judicial Proceeding

- 105-63.301 Access by former President Nixon.
- 105-63.302 Access by Federal agencies.
- 105-63.302-1 Access by the Special Prosecutor.
- 105-63.303 Access for use in judicial proceedings.

Subpart 105-63.4—Access by the Public [Reserved]

§ 105-63.000 Scope of part.

This part sets forth policies and procedures concerning the preservation and protection of and access to the tape recordings, papers, documents, memorandums, transcripts, and other objects and materials which constitute the Presidential historical materials of Richard M. Nixon, covering the period beginning January 20, 1969, and ending August 9, 1974.

Subpart 105-63.1—General Provisions

§ 105-63.101 Purpose.

This Part 105-63 implements the provisions of Title I of the Presidential Recordings and Materials Preservation Act (Public Law 93-526; 88 Stat.). It prescribes policies and procedures by which the General Services Administration will preserve, protect, and provide access to the Presidential historical materials of the Nixon Administration.

§ 105-63.102 Application.

This Part 105-63 applies to all of the Presidential historical materials of the Nixon Administration in the custody of the Administrator of General Services pursuant to the provisions of Title I of the Presidential Recordings and Materials Preservation Act (Public Law 93-526; 88 Stat. 1695).

§ 105-63.103 Legal custody.

The Administrator of General Services has exclusive legal custody and control of all Presidential historical materials of the Nixon Administration held pursuant to the provisions of the Presidential Recordings and Materials Preservation Act (Public Law 93-526; 88 Stat. 1695).

§ 105-63.104 Definitions. [Reserved]

§ 105-63.105 Requests or demands for access.

Except as provided in § 105-63.302-1, each agency which receives a request or legal demand for access to Presidential historical materials of the Nixon Administration shall immediately forward the request or demand to the Administrator of General Services.

Subpart 105-63.2—Preservation and Protection

§ 105-63.201 Responsibility.

The Administrator of General Services or his designated agent is responsible for the preservation and protection of the Presidential historical materials. He may arrange with other Federal agencies, acting pursuant to appropriate Federal authority, for assistance in their preservation and protection.

§ 105-63.202 Security.

The Administrator of General Services or his designated agent will control access to all areas designated as security areas. That control will include:

- (a) Physical possession of all keys that control access to the security areas (A copy of each key will be deposited in locations designated by current fire and/or national security regulations with instructions that these keys may be used only in instances in which the Presidential historical materials or their environs are subject to damage or loss. All such emergency use shall be reported to the Administrator of General Services or his designated agent as soon as possible.); and
- (b) Exclusive knowledge of all lock combinations that control access to the security areas. Copies of the combinations will be placed in such locations as are required by current fire and/or national security regulations and with the GSA Security Division (BIS), Office of

Administration, in sealed envelopes with instructions that the envelopes may be opened only in instances in which the Presidential historical materials or their environs are subject to damage or loss. All such emergency use shall be reported to the Administrator of General Services or his designated agent as soon as possible.

§ 105-63.203 Security areas.

All Presidential historical materials currently stored in areas secured by Executive Protection Service controlled alarm systems shall continue to be stored in these or equally secure areas unless they are specifically exempted in writing from such security by the Administrator of General Services or his designated agent.

§ 105-63.204 Work areas.

The Administrator of General Services or his designated agent will provide appropriate locations within the Metropolitan Area of the District of Columbia as work areas to be used for the purpose of inventorying, indexing, reviewing, and/or, copying Presidential historical materials in accordance with appropriate authorizations. When such work areas are in use, security shall be equivalent to that in effect in the storage area from which the Presidential historical materials are removed unless the Administrator of General Services or his designated agent waives such equivalent security in writing.

§ 105-63.205 Archival processing.

When authorized by the Administrator of General Services or his designated agent, archivists may enter the security and work areas for the purposes of performing necessary archival processes on the Presidential historical materials. Access for archival processing shall follow the procedures of paragraphs (a), (b), (c), (g), (h), and (i) of § 105-63.206.

§ 105-63.206 Access procedures.

(a) The Administrator of General Services or his designated agent will receive and/or prepare appropriate documentary authorization before each access authorized under this Part 105-63.

(b) The Administrator of General Services or his designated agent shall determine that each access is thoroughly documented. Each documentation shall include:

- (1) Reasons for the access;
- (2) Time of the access;
- (3) Individuals involved in the access, including each individual's degree of security clearance;
- (4) Record of all activities during the access;
- (5) Record of all Presidential historical materials removed, if any; and
- (6) Time of the completion of the access.

(c) The Administrator of General Services or his designated agent will determine that each individual having access to the Presidential historical materials has a security clearance equivalent to the highest degree of national security classification that may be applicable to any of the materials examined.

(d) Prior to each access which may result in the examination of Presidential historical materials that relate to matters of national security, the Administrator of General Services or his designated agent shall notify the Counsel to the President who shall be given the opportunity to examine these materials and raise any objections, defenses, or privileges to prevent or limit the proposed access.

(e) The Administrator of General Services or his designated agent will provide former President Nixon or his designated attorney or agent prior notice of, and allow him to be present during, each authorized access.

(f) Each access to the security areas shall occur only in the presence of the Administrator of General Services or his designated agent. At least two persons shall be present at all times that the security areas are occupied.

(g) All security areas which currently require the presence of the U.S. Secret Service during access and such other security areas as are designated by the Administrator of General Services or his designated agent shall continue to require the presence of one or more representatives of the U.S. Secret Service or such other Federal security agency as is designated by the Administrator of General Services or his designated agent.

(h) If any of the materials now located in security areas requiring the presence of U.S. Secret Service during access are moved to other locations, access to such new locations shall also require the presence of security agents as provided in paragraph (g) of this section, unless their presence is specifically exempted in writing by the Administrator of General Services of his designated agent.

(i) Whenever possible, a copy, which shall be certified upon request, instead of the original documentary Presidential historical material shall be provided to comply with a subpoena or other lawful process, or request. Whenever the original documentary material is removed, a certified copy of the material shall be inserted in the proper file until the return of the original.

§ 105-63.207 Extraordinary authority during emergencies.

In the event of an emergency that threatens the physical preservation of the Presidential historical materials or their environs, the Administrator of General Services or his designated agent will take such steps as may be necessary, including removal of the materials to temporary locations outside the Metropolitan Area of the District of Columbia, to preserve and protect the materials.

Subpart 105-63.3—Access to Materials by Former President Nixon, Federal Agencies, and for Use in Any Judicial Proceeding

§ 105-63.301 Access by former President Nixon.

In accordance with the provisions of Subpart 105-63.2, former President Richard M. Nixon or his designated agent

shall at all times have access to the Presidential historical materials in the custody and control of the Administrator of General Services.

§ 105-63.302 Access by Federal agencies.

In accordance with the provisions of Subpart 105-63.2 any Federal agency or department in the executive branch shall at all times have access for lawful Government use to the Presidential historical materials in the custody and control of the Administrator of General Services.

§ 105-63.302-1 Access by the Special Prosecutor.

Pursuant to § 105-63.302, the Special Prosecutor or his designated agent shall at all times have priority access to the Presidential historical materials relevant and important to ongoing criminal investigations and prosecutions within his jurisdiction in accordance with the agreement of November 9, 1974, among the Special Prosecutor, the Counsel to the President, the Director of the Secret Service, and the Administrator of General Services. The Administrator of General Services shall provide access pursuant to this subsection after the Counsel to the President has determined that the access is in accordance with the agreement of November 9, 1974, and has transmitted the Special Prosecutor's request for access to the Administrator of General Services for his determination that the access is authorized under this part. The agreement reads as follows:

Whereas, Gerald R. Ford, President of the United States, has determined and informed his Counsel that the due administration of justice and the public interest require that the Special Prosecutor have prompt and effective use of those Presidential materials of the Nixon Administration now located in the White House complex that are relevant and important to ongoing criminal investigations and prosecutions within the Special Prosecutor's jurisdiction; and

Whereas, this Agreement, if implemented, would accommodate the needs of the Special Prosecutor with respect to such materials;

Now, therefore, the undersigned have agreed as follows:

1. Upon letters from the Special Prosecutor to Counsel to the President specifying those materials that he has reason to believe are relevant to specified criminal investigations or prosecutions within the Special Prosecutor's jurisdiction and explaining why access to such materials is important to a full and fair resolution of those investigations and prosecutions, the Special Prosecutor or his designees shall be afforded access to the materials under the following procedures:

a. *Documents.* 1. Where files are organized by subject matter, only those files may be examined which, because of their titles, may contain documents relevant to these specified investigations and prosecutions.

2. Where files are organized chronologically, only that portion of the file covering the time period relevant to the request may be examined.

3. Where no chronological or subject label is on a file, the file may be examined to determine whether the file contains relevant materials.

4. In order to assist in these searches, the Special Prosecutor may request the assistance of members of the archival staff assigned to the White House in making a list of file titles or other index.

b. *Tape Recordings.* Only the tape recordings of conversations specified by letters according to the above procedures may be listened to.

2. The Special Prosecutor shall be allowed to make copies of only those tapes of conversations and documents that he determines are relevant to criminal investigations or prosecutions within his jurisdiction. Prior to the Special Prosecutor receiving such copies, Counsel to the President may review the copies to determine whether they may not be disclosed for reasons of national security. The originals of any tapes and documents, copies of which are provided to the Special Prosecutor, shall be retained and, if necessary for a criminal proceeding, will be given to the Special Prosecutor for such proceeding in exchange for the copies.

3. Richard M. Nixon or his attorney or designated agent shall be given notice of, and may be present during, searches pursuant to this Agreement. Also, Mr. Nixon or his attorney or designated agent, shall be afforded access to and/or copies of those tapes of conversation and documents for which the Special Prosecutor is allowed copies. The Counsel to the President also may designate individuals to be present during these searches.

4. No Presidential materials shall be removed to locations in Washington, D.C. other than the White House complex without the approval of the Special Prosecutor and no portions of such materials shall be removed to locations outside of the District of Columbia without an indication from the Special Prosecutor that he has no further need for such portions, except upon court order.

5. The parties to this Agreement shall move jointly to modify, if necessary, the temporary restraining order as now outstanding in Civil Action No. 74-1518 and in consolidated cases in the United States District Court for the District of Columbia to permit implementation of this Agreement.

Philip W. Buchen,
Counsel to the President.
Arthur F. Sampson,
Administrator of General Services.
H. Stuart Knight,
Director, U.S. Secret Service.
Henry S. Ruth, Jr.,
Special Prosecutor,
Watergate Special Prosecution Force.

§ 105-63.303 Access for use in judicial proceedings.

In accordance with the provisions of Subpart 105-63.2, and subject to any rights, defenses, or privileges which the Federal Government or any person may invoke, the Presidential historical materials in the custody and control of the Administrator of General Services will be made available for use in any judicial proceeding, and are subject to subpoena or other lawful process. Requests by the Special Prosecutor for access to the Presidential historical materials, whether by court subpoena or other lawful process, including access pursuant to § 105-63.302-1 shall at all times have priority over any other request for the materials.

Subpart 105-63.4—Access by the Public [Reserved]

Effective date. This Part 105-63 is effective upon the vacation of Federal court orders preventing the implementation of Title I of the Presidential Recordings and Materials Preservation Act.

Dated: January 13, 1975.

ARTHUR F. SAMPSON,
Administrator of General Services.

[FR Doc.75-1440; Filed 1-13-75; 12:55 pm]

Just Released

CODE OF FEDERAL REGULATIONS

(Revised as of January 1, 1974)

Finding Aids----- \$5.10

[A Cumulative checklist of CFR issuances for 1974 appears in the first issue of the Federal Register each month under Title I]

Order from Superintendent of Documents,
United States Government Printing Office,
Washington, D.C. 20402